

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
SECOND
EXTRAORDINARY
SESSION OF 1978

HELD IN THE CITY OF MONTGOMERY, ALABAMA,
COMMENCING MONDAY, JULY 31, 1978



WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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**JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
SECOND
EXTRAORDINARY SESSION
OF 1978**

FIRST DAY

House of Representatives
Montgomery, Alabama
Monday, July 31, 1978

Be it remembered that on the nineteenth day of July, 1978, His Excellency, George C. Wallace, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

**STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR**

WHEREAS, there exists an extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Article V, Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, George C. Wallace, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the Seat of Government at the State Capitol in Montgomery, Alabama, at 4:00 P.M., Monday, July 31, 1978, and I do hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation to make appropriations for the support of public education in the State of Alabama.
2. Constitutional amendment to amend further Article XI, Section 217 of the Constitution of Alabama of 1901, as amended, pertaining to ad valorem property taxation in the State.
3. Legislation implementing the proposed constitutional amendment described in Paragraph 2 hereof, contingent upon its adoption as provided in the Constitution, as follows: to define the classes of taxable property subject to state and local ad valorem property taxation; to fix the ratios of assessed value to fair and reasonable market value applicable to such classes of taxable property; to regulate the adjustment of such

ratios by local taxing authorities with respect to ad valorem property taxes levied and collected by or with respect to such taxing authorities; to permit the assessment of certain taxable property based on its value as used at the time of assessment and not on the value such property might have if it were put to some other possible use; to regulate the assessment of taxable property at its current use value by county tax assessors, the state department of revenue, and other persons; to establish criteria for determining whether taxable property is eligible for current use value assessment; to establish criteria for ascertaining the current use value of such taxable property; to provide for the taxation of property assessed at its current use value that ceases to qualify for such assessment; and to provide for the deduction of state and local property taxes in excess of the maximum amount of such taxes permitted in the proposed constitutional amendment.

4. Legislation providing for the exemption of certain household goods, business inventory, farm tractors and certain agricultural equipment and farm animals from all ad valorem property taxes in the State; and legislation providing a homestead exemption to be applied to ad valorem property taxes levied by counties, and eliminating certain restrictions in present law on the homestead exemption applicable to state ad valorem property taxes that is available to persons over 65 years of age, or who are blind, or who are retired due to permanent and total disability.

5. Legislation providing for the distribution of funds received by the State and local governments from the Tennessee Valley Authority and its distributors in lieu of ad valorem taxes to certain counties and municipalities in the State.

6. Legislation authorizing the Alabama Public School and College Authority to issue additional limited obligation revenue bonds.

7. Legislation providing for tuition grants for students attending certain private institutions of higher education in the State.

8. Legislation to make a conditional appropriation to the Department of Pensions and Security for the fiscal year beginning October 1, 1978.

9. Constitutional amendment authorizing the State to issue its general obligation bonds for the purpose of acquiring, constructing, equipping and improving prisons and other penal and correctional facilities for use by the State.

10. Legislation implementing the proposed constitutional amendment described in Paragraph 9 hereof, contingent upon its adoption as provided in the Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused the Great Seal to be affixed, and have caused this proclamation to be attested by the Secretary of State, at the capitol, in the City of Montgomery, on this the 19th day of July, 1978.

GEORGE C. WALLACE,
Governor.

ATTEST:

MRS. AGNES BAGGETT
Secretary of State

1st Day

PRAYER

The session was opened with prayer by the Reverend Walter W. Collins, Pleasant Hill Baptist Church, Slocomb, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolley, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Tucker, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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A quorum was present.

STATE OF ALABAMA
DEPARTMENT OF STATE

I, Mrs. Agnes Baggett, Secretary of State of the State of Alabama, do hereby certify that it appears from the returns of the election held on July 11, 1978, received in this Department in accordance with law, that the following named person was elected to the House of Representatives to fill a vacancy in said House of Representatives from the Sixty-eighth District as follows:

James E. Ray

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this the 24th day of July, One Thousand Nine Hundred and Seventy-eight.

MRS. AGNES BAGGETT,
Secretary of State.

OATH OF OFFICE

The oath of office was administered to Hon. James E. Ray of District 68 by Hon. Joe C. McCorquodale, Jr., Speaker of the House of Representatives, in the House Chamber.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Crowe:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Crowe, the rules were suspended and the resolution, H. R. 1, was adopted.

Also:

By Mr. Crowe:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Mr. Crowe, the rules were suspended and the resolution, H. J. R. 2, was adopted.

COMMITTEE APPOINTED

The Speaker appointed as the committee on the part of the House, pursuant to the resolution, H. J. R. 2, Messrs. Ford, Falkenburg and Kennedy.

Also:

By Mr. Crowe:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That a joint session of the House and Senate be held at 6:30 p.m. on 7-31-78 for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

AND BE IT FURTHER RESOLVED, That a committee of three from the House, to be named by the Speaker of the House, and a committee of two from the Senate to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the House for the joint session.

On motion of Mr. Crowe, the rules were suspended and the resolution, H. J. R. 3, was adopted.

COMMITTEE APPOINTED

The Speaker appointed as a committee on the part of the House, pursuant to the resolution, H. J. R. 3, Messrs. Pegues, McCulley and Plaster.

Also:

By Mr. Manley:

H. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA That when we adjourn today, Monday, July 31, 1978, we adjourn to meet again on Tuesday, August 1, 1978, at 5 o'clock P.M.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 4, was adopted.

LEAVE OF ABSENCE

At the request of Mr. Waggoner, leave of absence was granted for Mr. Biddle, due to illness in the family.

1st Day

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Waggoner, McCorquodale, Gafford, Falkenburg and Armstrong:

H. J. R. 5. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE, AND WISHING JAN BIDDLE A SPEEDY RECOVERY FROM SURGERY.

WHEREAS, the Legislature of Alabama has learned that Jan Biddle, the young teenage daughter of our good friends, Jack and Nena Biddle, has today undergone surgery at University Hospital in Birmingham; and

WHEREAS, Jack Biddle is our esteemed colleague in the House and his lovely wife, Nena, is an active member of the Legislative Wives Organization; young Jan Biddle also is known personally by many members of the Legislature and is loved for her friendliness and warmth of personality; and

WHEREAS, Jan's hospitalization and the necessity for surgery is a source of concern for us all as it is indeed for her family and many friends; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we both deeply regret the illness of young Jan Biddle and most earnestly beseech her complete recovery in the shortest possible time.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Jan so that she and her parents may know of our warm best wishes for her speedy recovery and that our thoughts and prayers are with them at this time.

On motion of Mr. Waggoner, the rules were suspended and the resolution, H. J. R. 5, was adopted.

Also:

By Messrs. Riddick, Smith (B) and Moore (W):

H. J. R. 6. COMMENDING THE GEORGE C. MARSHALL SPACE FLIGHT CENTER FOR ITS NOTABLE ACHIEVEMENTS IN THE FURTHERANCE OF OUR NATION'S SPACE PROGRAM.

WHEREAS, More than 20 years ago, on January 31, 1958, Explorer I, America's first artificial earth satellite, was prepared and launched into space through the efforts of the Army Ballistic Missile Agency and the Jet Propulsion Laboratory; and

WHEREAS, The Development Operations Division of the Army Ballistic Missile Agency became the nucleus of the newly established National Aeronautics and Space Administration's George C. Marshall Space Flight Center at Huntsville, Alabama, in 1960; and

WHEREAS, The Marshall Space Flight Center has continued to amass a remarkable record of space-related achievements in the years subsequent to its establishment; and

WHEREAS, Noteworthy among these was the Marshall Space Flight Center's success with the Saturn V Launch Vehicle for Apollo and Skylab; the Saturn IB Launch Vehicle Apollo and Skylab; the Saturn I-B launch vehicle for Apollo, Skylab and the Apollo-Soyuz test program;

the Lunar Roving Vehicle, used by the astronauts for exploration of the moon surface; and Skylab, the first U.S. manned orbital space station; and

WHEREAS, The Marshall Space Flight Center, continuing in its tradition of technical excellence, successfully developed the High Energy Astronomy Observatory, the heaviest unmanned satellite to date, which was launched into space in 1977 and is providing the scientific community invaluable and heretofore unknown information about our universe; and

WHEREAS, The Marshall Space Flight Center is presently working on other important projects, among which are the development and test of major components of the Space Shuttle System, and Spacelab, a combined versatile space laboratory and observatory facility, significant parts of the Space Transportation System of the 1980's; and the Space Telescope, an instrument that will be placed into Earth orbit and will enable man to see objects with a resolution approximately seven times better than that attainable with the largest Earth-based telescope; and

WHEREAS, The Marshall Space Flight Center's efforts in space and space exploration have resulted in numerous technological advances that have been successfully applied to the benefit of mankind and to improving our quality of life; and

WHEREAS, The Marshall Space Flight Center's scientists, engineers, technicians, management and support personnel have achieved and retained an unexcelled record of success and a reputation for technical excellence under the leadership of: First, the late Dr. Wernher von Braun, then Dr. Eberhard F. M. Rees, then Dr. Rocco Petrone, and presently Dr. William R. Lucas; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby highly commend the George C. Marshall Space Flight Center and its Director and staff for its notable achievements in the furtherance of our nation's space program and for the credit and recognition it has brought the State of Alabama.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Dr. William R. Lucas, Director, Marshall Space Flight Center and to Dr. Robert A. Frosch, Administrator, National Aeronautics and Space Administration, so that they may know of our recognition of the accomplishments and capabilities of the Marshall Space Flight Center, and of our esteem for its noteworthy contributions.

On motion of Mr. Riddick, the rules were suspended and the resolution, H. J. R. 6, was adopted.

Also:

By Messrs. Wyatt, Barron, Plaster and Langford:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

WHEREAS, the deer population in Montgomery County is one of the largest in Alabama with the result that many of the farmers' crops are being destroyed each year because of the rapidly increasing growth of said population; and

WHEREAS, the State Conservation Executive Board has adopted a policy against using dogs to hunt deer in Montgomery County, a regula-

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tion with no logical basis and one which violates the property rights of the citizens of Montgomery County; and

WHEREAS, further, if such a policy is allowed to continue, surrounding counties will be adversely affected as said counties would be overrun by hunters from Montgomery County; and

WHEREAS, petitions signed by thousands of Montgomery citizens, voicing opposition to this unreasonable regulation, have been presented to the Montgomery Legislative Delegation; and

WHEREAS, said delegation desires not to be forced to change this regulation through introduction and passage of a local bill; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, AND PARTICULARLY THE MEMBERS OF THE MONTGOMERY COUNTY DELEGATION, That we call upon the State Executive Conservation Board to revise its decision on the use of dogs to hunt deer in Montgomery County.

BE IT FURTHER RESOLVED, That this body does not wish to regulate the policies of conservation with local legislation but will do so, should it become necessary.

RESOLVED FURTHER, That we request that this regulation be revised immediately and that the Montgomery County Delegation be advised on future policy changes which would affect Montgomery County.

RESOLVED FURTHER, That a copy of this resolution be sent to each member of the Conservation Advisory Board of the State of Alabama.

On motion of Mr. Wyatt, the rules were suspended and the resolution, H. J. R. 7, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed to advise the House that the Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Moore (O), Waggoner, Smith (C) and Dial:

H. J. R. 8. HONORING MR. ELVIN HILL, SHELBY COUNTY SUPERINTENDENT OF SCHOOLS.

WHEREAS, the Legislature of Alabama has noted the announced retirement of Mr. Elvin Hill of Columbiana as Superintendent of Shelby County Schools, thus ending a long and prestigious career as one of our state's most outstanding educators; and

WHEREAS, Mr. Hill, a native of Clay County, Alabama, was educated in the public schools of that county and was awarded a B.S. Degree from Auburn University in 1942; he also holds a Master's Degree from Auburn and has completed additional post graduate studies; and

WHEREAS, during his professional career, he served as Vocational Agriculture teacher at Shelby County High School from 1942 until 1954

with the exception of three years service in the United States Air Force as a flight training cadet during World War II; he then served as Principal of Shelby County High School until 1958 at which time he was elected Superintendent of Shelby County Schools, presently enjoying the longest tenure of any elected superintendent in the State of Alabama; and

WHEREAS, in addition to membership in numerous professional organizations, with active participation in various capacities of leadership, Mr. Hill also has contributed greatly to the civic, religious and charitable affairs in his community, county and state; he is an active member of the First Baptist Church of Columbiana, a charter member of the Kiwanis Club of Columbiana and a Third Degree Mason who served as Worshipful Master in 1950 and 1951; and

WHEREAS, he has further served on the Columbiana City Council and on the Columbiana Park and Recreation Board in addition to countless other memberships on boards, clubs and organizations which contribute immeasurably to the betterment of his fellow citizens; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Elvin Hill on his outstanding career as an educator and voice our deep appreciation for his notable contributions in the civic, religious and charitable affairs of our state.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Hill that he and his wife, Mrs. Wylodean White Hill, and their family might know of our deep appreciation and esteem and of our warm best wishes for every future success.

On motion of Mr. Moore (O), the rules were suspended and the resolution, H. J. R. 8, was adopted.

Also:

By Mr. Carter:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

WHEREAS, the Conservation Advisory Board did, at their annual mid-summer meeting, recommend the promulgation of a department of conservation regulation to require that landowners secure the permission of the department of conservation before they allow a trapper to use leghold steel traps on their lands; and

WHEREAS, trapping is one of the oldest forms of utilizing the game resources of this State; and

WHEREAS, the landowners of this great State have historically had the sole control of trapping on their own land subject only to the right of the department of conservation to set the trapping seasons and impose trapping licenses and limits; and

WHEREAS, a landowner's right to use his land unfettered by bureaucratic regulations is one of the most cherished rights in this State and nation and no one is in a better position than the landowner to know what device should or should not be used on his own land; and

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WHEREAS, landowners throughout this great State has expressed outrage to the members of the legislature about this restrictive regulation proposed by the Conservation Advisory Board; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do express extreme displeasure with the recommendation of the Conservation Advisory Board that a regulation be promulgated by the director of conservation to require that a landowner secure the permission of the department of conservation before allowing trapping with leghold traps on his land and we do most strongly recommend that the Conservation Advisory Board reconsider their action in this matter before this legislature is forced to resort to legislation restricting powers of the Conservation Advisory Board.

BE IT FURTHER RESOLVED That copies of this resolution be sent to each member of the Conservation Advisory Board with the request that they give this their most serious consideration.

On motion of Mr. Carter, the rules were suspended and the resolution, H. J. R. 9, was adopted.

Also:

By Messrs. Dial, McCluskey, Shoemaker and Moore (O):

H. R. 10. HONORING MR. WILLIAM H. G. "BILL" FRANCE, FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

WHEREAS, the August 6th Talladega 500 marks the 10th anniversary of what has become known worldwide as the fastest, most competitive, most accessible motorsports facility in the world; and

WHEREAS, Alabama International Motor Speedway stands as a monument to its founder, William H. G. "Bill" France, and to the Honorable Alabama Governor George C. Wallace, who had the foresight to envision, like Mr. France, the potential this motorsports facility had in attracting new visitors to the great State of Alabama; and

WHEREAS, It was 10 years ago this August that Bill France saw the 2.66-mile speedway in Talladega County host its first competition and both Mr. France and Governor Wallace remarked on that day that the name of Talladega, Alabama, would be known within a short period of years all over the world; and

WHEREAS, the track holds every speed record in existence for a closed course, including the absolute world speed mark of 221 miles an hour established by Mark Donohue; and

WHEREAS, the races at Talladega are recognized as both the fastest and the most competitive races in the world and the record book reveals that the 500-mile race record of nearly 170 miles an hour was established at Talladega and the lead change record of 64 among 15 different drivers in a 500 mile race was set at Talladega as well; and

WHEREAS, this facility annually draws the largest crowd in Alabama for its May Winston 500 and for the August Talladega 500 which forthcoming event will mark the 10th birthday of the world's greatest speedway; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That this body most highly commends Mr. William H. G. France,

founder, on the remarkable, unparalled success of the Alabama International Motor Speedway at Talladega, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Bill France on the occasion of the 10th anniversary of this great speedway as but a token of our appreciation for his primary role in bringing worldwide fame to the State of Alabama through the establishment of the Alabama International Motor Speedway.

On motion of Mr. Dial, the rules were suspended and the resolution, H. R. 10, was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 11. MOURNING THE DEATH OF MR. HAROLD O. GLASS, PROMINENT ALABAMA BANKER AND CIVIC LEADER

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. Harold O. Glass of Thomasville, Alabama, on April 4, 1978; and

WHEREAS, Mr. Glass, beloved Thomasville citizen, was serving, at the time of his death, as Chief Executive Officer and Chairman of the Board of the Bank of Thomasville, Clarke County's largest bank with total assets of more than thirty million dollars; and

WHEREAS, Harold Glass, a graduate of the School of Banking of the South, began his long and illustrious career in banking at the First Bank of Linden in 1946; he accepted a position with the Marion Bank and Trust Company in 1950, remaining until 1952 at which time he became associated with the newly formed bank of Thomasville as assistant cashier; and

WHEREAS, through excellence of performance and the acceptance of additional duties, responsibilities and positions, he ultimately was promoted to the presidency and in 1977, was named Chairman of the Board; and

WHEREAS, the distinguished banker pioneered many new services for the bank, including the introduction of branch banking in Clarke County, striving always to meet his number one objective and goal, that of serving the people; and

WHEREAS, in addition to serving as Executive Trustee of the School of Banking of the South, he also served as Chairman of Group 6 of the Alabama Bankers Association and held the distinction of being the only person in the State of Alabama to serve as President of both the Alabama Bankers Association and of the Young Bankers Section of that organization; and

WHEREAS, he further held positions of responsibility in many other professional organizations and also served as president of the Thomasville Chamber of Commerce, member of the City Board of Education and of the Thomasville Hospital Board; and

WHEREAS, he was an actively involved member of the Thomasville Methodist Church, serving his church and conference through participation on numerous committees and boards; and

WHEREAS, during the last years of his life, though suffering from a condition he knew was terminal, Harold Glass continued to display

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innate attributes of courage, determination and optimism, imparting these same qualities to others in need of hope and encouragement; and

WHEREAS, he courageously sought assistance from the University of Alabama Comprehensive Cancer Center, which is headed by Dr. John Durant, and in praise and appreciation for their work, spent his remaining time and last efforts in seeking funds for the Hyperthermia Unit of this center that, in the future, mankind might no longer need to suffer from such a terrible form of cancer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That with shared sympathy and sorrow, we join the community of Thomasville and the citizens of Clarke County and of all Alabama in mourning the death of Harold O. Glass.

BE IT FURTHER RESOLVED, That we extend our most heartfelt sympathy to his wife, Mrs. Miriam Glass, to their two daughters, Robyn Phillips and Janet Anderson, and other family members to whom copies of this resolution shall be sent as evidence of our abiding concern for them in their time of grief, and of our deep admiration and esteem for the courageous and indomitable spirit of Harold O. Glass.

On motion of Mr. Warren, the rules were suspended and the resolution, H. J. R. 11, was adopted.

Also:

By Messrs. Clark, Manley and Campbell:

H. J. R. 12. COMMENDING MAYOR WILLIAM H. TUCK, WINNER OF THE 1977 DAVID M. COCHRANE AWARD.

WHEREAS, the Legislature of Alabama has noted, with pleased accord, the selection of William H. Tuck, Mayor of Eutaw, Alabama, as the recipient of the prestigious David M. Cochrane Award for 1977; and

WHEREAS, Mayor Tuck has served on the Eutaw City Council since 1944 and in Mayoral capacity since 1948; during this time, his city has shown steady growth and prosperity and has a future bright with promise for further progress and expansion of services for all its citizens; and

WHEREAS, under his leadership, a sewerage system has been installed which serves the entire corporate limits and the Water Works Board has been transferred to the city with a new well installed in 1969; city streets also have been greatly improved, and the costs for the city hall, constructed in 1969, have been fully paid; and

WHEREAS, rehabilitative and low-cost housing programs undertaken by Mayor Tuck have resulted in 50 units already opened with additional units proposed; a City Planning Commission appointed during the Mayor's tenure has adopted zoning ordinances, building inspection programs and subdivision regulations; and

WHEREAS, Mayor Tuck has served both as Vice-President and as President of the Alabama League of Municipalities, and as a member of the various League committees; he further has served on the WAPDC since it was organized and is an active advocate and defender of regionalism and inter-governmental cooperation; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Eutaw's Mayor William H. Tuck for outstanding and dedicated service to his community and most heartily congratulate him as the recipient of the David M. Cochrane Award.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mayor Tuck as evidence of our deep appreciation, admiration and esteem.

On motion of Mr. Clark, the rules were suspended and the resolution, H. J. R. 12, was adopted.

Also:

By Mr. Towns:

H. J. R. 13. PROVIDING THAT THE LEGISLATURE WILL SERVE WITHOUT RECEIVING CERTAIN COMPENSATION AND ALLOWANCES DURING THIS SPECIAL SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall receive only the mileage reimbursement provided by law and the expense allowance (\$300.00 per month) provided by Act No. 5, S. J. R. 4, 1967 Organizational Session (Acts of Alabama 1967, p. 33), and no other allowance or compensation otherwise provided by law, during the present special session of the legislature which commenced July 31, 1978.

The resolution, H. J. R. 13, was read and referred to the Standing Committee on Rules.

Also:

By Mr. McNees:

H. R. 14. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

WHEREAS, the Alabama House of Representatives notes with regret the announced resignation of Dr. Charles W. Davis as President of Brewer State Junior College since 1969; and

WHEREAS, Dr. Davis, a native of Centre, holds degrees from both Samford University in Birmingham and Southern Baptist Theological Seminary in Louisville, Kentucky, as well as a doctor of humanities degree from Livingston University; he is a former missionary to Venezuela and Costa Rica and a former teacher in the Baptist Theological Seminary in San Jose, Costa Rica, who also has taught at Samford University and served as pastor of the First Baptist Church in Fayette, Alabama; and

WHEREAS, Dr. Davis was named President of Brewer State at that institution's inception and will have provided outstanding leadership for the college for almost ten years at the close of 1978, the effective date of his resignation from junior college work; he has been responsible not only for the construction of the college, selection of faculty and promotion of enrollment, but for the realization of the Tuscaloosa Branch opened in 1972 and approved as a full degree granting branch in 1977 and recommended for full funding by the Alabama Commission on Higher Education, the only junior college branch in Alabama to receive such a recommendation; and

WHEREAS, further, he has participated in local civic organizations in the City of Fayette, accepted leadership of various community drives such as the American Cancer Society, and was named Man of the Year from Fayette County in 1975; Dr. Davis is a past president of the Alabama Junior College Conference, past president of the Alabama Junior

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College Council of Presidents, past president of the Association of Alabama College Administrators and is executive director of Creative Christian Ministries; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we most highly commend Dr. Charles W. Davis on his prestigious career as minister, missionary and educator. We voice our appreciation for his outstanding accomplishments as President of Brewer State Junior College and wish for him continued success in all future endeavors.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Davis that he and Mrs. Davis and their sons, Paul, Mark and Stephen, may know of our deep appreciation and high esteem.

On motion of Mr. McNees, the rules were suspended and the resolution, H. R. 14, was adopted.

Also:

By Mr. McNees:

H. J. R. 15. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

WHEREAS, the Legislature of Alabama notes with regret the announced resignation of Dr. Charles W. Davis as President of Brewer State Junior College since 1969; and

WHEREAS, Dr. Davis, a native of Centre, holds degrees from both Samford University in Birmingham and Southern Baptist Theological Seminary in Louisville, Kentucky, as well as a doctor of humanities degree from Livingston University; he is a former missionary to Venezuela and Costa Rica and a former teacher in the Baptist Theological Seminary in San Jose, Costa Rica, who also has taught at Samford University and served as pastor of the First Baptist Church in Fayette, Alabama; and

WHEREAS, Dr. Davis was named President of Brewer State at that institution's inception and will have provided outstanding leadership for the college for almost ten years at the close of 1978, the effective date of his resignation from junior college work; he has been responsible not only for the construction of the college, selection of faculty and promotion of enrollment, but for the realization of the Tuscaloosa Branch opened in 1972 and approved as a full degree granting branch in 1977 and recommended for full funding by the Alabama Commission on Higher Education, the only junior college branch in Alabama to receive such a recommendation; and

WHEREAS, further, he has participated in local civic organizations in the City of Fayette, accepted leadership of various community drives such as the American Cancer Society, and was named Man of the Year from Fayette County in 1975; Dr. Davis is a past president of the Alabama Junior College Conference, past president of the Alabama Junior College Council of Presidents, past president of the Association of Alabama College Administrators and is executive director of Creative Christian Ministries; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Dr. Charles W. Davis on his prestigious career as minister, missionary and educator. We voice our appreciation for his outstanding accomplishments as President of Brewer State Junior College and wish for him continued success in all future endeavors.

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BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Davis that he and Mrs. Davis and their sons, Paul, Mark and Stephen, may know of our deep appreciation and high esteem.

On motion of Mr. McNees, the rules were suspended and the resolution, H. J. R. 15, was adopted.

Also:

By Mr. McNees:

H. R. 16. MOURNING THE DEATH OF MRS. LINNIE WIGGINS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

WHEREAS, the Alabama House of Representatives has noted with deep regret the death of Mrs. Linnie Wiggins Newman of Kennedy, Lamar County, Alabama, on April 24, 1978, at the age of 69; and

WHEREAS, a singer for years and a member of the famed Cody Quartet for some 45 years, Mrs. Newman had oftentimes expressed the wish to be singing gospel songs at the time of her departure; she was, in fact, singing in concert at the time she was stricken, yet finished her performance to later suffer a second heart attack which proved to be fatal; and

WHEREAS, a native and lifelong resident of Lamar County, she was a member of the Cody Church of God which she served with devotion, offering praise through song for the enjoyment of others and to the glory of God; beloved of family and friends, she is deeply missed and mourned by all those whose lives she touched; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That we do grievously mourn the death of Mrs. Linnie Wiggins Newman, extending our most heartfelt sympathy to her husband, Mr. Arlie A. Newman, and to their sons, Archie, James Laverne and William Derris Newman.

BE IT FURTHER RESOLVED, That copies of this resolution be provided for presentation to Mrs. Newman's family that they may know we deeply share the sorrow of their great loss.

On motion of Mr. McNees, the rules were suspended and the resolution, H. R. 16, was adopted.

Also:

By Mr. McNees:

H. J. R. 17. MOURNING THE DEATH OF MRS. LINNIE WIGGINS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

WHEREAS, the Legislature of Alabama has noted with deep regret the death of Mrs. Linnie Wiggins Newman of Kennedy, Lamar County, Alabama, on April 24, 1978, at the age of 69; and

WHEREAS, a singer for years and a member of the famed Cody Quartet for some 45 years, Mrs. Newman had oftentimes expressed the wish to be singing gospel songs at the time of her departure; she was, in fact, singing in concert at the time she was stricken, yet finished her performance to later suffer a second heart attack which proved to be fatal; and

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WHEREAS, a native and lifelong resident of Lamar County, she was a member of the Cody Church of God which she served with devotion, offering praise through song for the enjoyment of others and to the glory of God; beloved of family and friends, she is deeply missed and mourned by all those whose lives she touched; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do grievously mourn the death of Mrs. Linnie Wiggins Newman, extending our most heartfelt sympathy to her husband, Mr. Arlie A. Newman, and to their sons, Archie, James Leverne and William Derris Newman.

BE IT FURTHER RESOLVED, That copies of this resolution be provided for presentation to Mrs. Newman's family that they may know we deeply share the sorrow of their great loss.

On motion of Mr. McNees, the rules were suspended and the resolution, H. J. R. 17, was adopted.

Also:

By Messrs. Sasser, Williams, Turnham, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Tucker, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Wyatt and Younce:

H. R. 18. COMMENDING JAMES F. (BUDDY) CRAWFORD ON HIS DISTINGUISHED LEGISLATIVE CAREER.

WHEREAS, this legislative body notes with mixed emotions the end of Representative James F. (Buddy) Crawford's distinguished legislative career; and

WHEREAS, Representative Crawford has served four eminent legislative terms representing the people of Henry, Houston and Barbour Counties; and

WHEREAS, Buddy Crawford has served his fellow Alabamians ably as a long-time public official from Henry County and as a two-time mayor of Abbeville; and

WHEREAS, James F. Crawford has served his county as a veteran of World War II and is an active member of the American Legion and the Veterans of Foreign Wars; and

WHEREAS, Buddy Crawford has actively participated in church, Chamber of Commerce, business and farming activities; and

WHEREAS, the members of the Alabama House of Representatives have been proud and honored to serve with this fine man and prominent statesman; now therefore,

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we heartily commend Representative James F. (Buddy) Crawford for his long and distinguished legislative career.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Representative Crawford so that he may witness this august body's esteem for him.

On motion of Mr. Sasser, the rules were suspended and the resolution, H. R. 18, was adopted.

Also:

By Mr. Hill:

H. J. R. 19. CONGRATULATING AND COMMENDING MARS HILL BIBLE SCHOOL, STATE 1A BASEBALL CHAMPIONS.

WHEREAS, it is with great pleasure that the Legislature of Alabama notes the second consecutive State 1A Baseball Championship captured by Mars Hill Bible School of Florence, Alabama; a 4-3 victory over the Millry Wildcats gave the crown to the Panthers with two straight wins in the series; and

WHEREAS, the championship victory brought Mars Hill to a 26-6 winning season and their 20th consecutive state playoff game without defeat over the last two seasons, a remarkable record of achievement for Head Baseball Coach David Willingham and for all his players: Danny Carlton, Robin Rutledge, DeWayne Rosenbaum, Rod Davis, Mark Foster, Larry Brown, Randy Hargett, John White, Barry England, Stuart Mitchell, David Wilhelm, Lindsey Hall, Jeff Broadfoot, Randy Patterson, Greg Harrison, Barry McClure, John Carlton, Keith Robinson and Bam Lyons; and

WHEREAS, for encouragement and support, much credit is also due school President Jack Wilhelm, Principal Lawrence Williams and Assistant Principal Robert Huffaker as well as Team Manager Blake Stephenson and Scorekeeper Charlie Gann; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate and commend Mars Hill Bible School, State 1A Baseball Champions again in 1978 as in 1977, an accomplishment that ranks the Panthers as one of the most outstanding teams in our state.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for appropriate school display and a copy forwarded to Head Coach Willingham on behalf of his entire championship team.

On motion of Mr. Hill, the rules were suspended and the resolution, H. J. R. 19, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:
By Mr. Ford (With Notice and Proof):

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

TACHED TO THE BILL, H. B. 1, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. McCorquodale:

H. 2. To provide that all revenue raised by civic clubs and civic organizations for purposes of charity shall be exempt from sales and use taxes.

Ways and Means.

By Mr. McCorquodale (With Notice and Proof):

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 3, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Gafford:

H. 4. To amend Sections 13-1-41 and 13-1-42 of the Code of Alabama 1975, relating to assault upon and assault with a deadly weapon upon peace officers, so as to provide further when such officers are deemed to be engaged in the active discharge of their duty or duties.

Judiciary.

By Messrs. Falkenburg and Waggoner:

H. 5. To provide for the definition of death in cases where respiratory and cardiac functions are maintained by artificial means, to further provide that nothing in the Act shall be construed to prohibit a physician from using customary procedures for determining death in other cases, and to make additional provisions pertaining to the determination of death in those cases in which some part of the body is to be donated for transplantation.

Health.

By Messrs. Falkenburg and Waggoner:

H. 6. This bill will establish and regulate the involuntary emergency examination and treatment of persons who may be severely mentally disabled.

Health.

By Messrs. Falkenburg and Waggoner (With Notice and Proof):

H. 7. To provide for appeals to the circuit court in Jefferson County from decisions of the Board of Equalization and to provide for the proceedings and procedure in the circuit court, on such appeals.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 7, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Falkenburg and Waggoner (With Notice and Proof):

H. 8. To repeal Act No. 259, H. 530, approved June 24, 1943, Regular Session 1943 (General Acts of Alabama 1943, p. 230), as amended, entitled, "An Act To provide for appeals to the circuit court in counties having a population of 400,000 or more according to the last or any subsequent Federal census, from decisions of the Board of Equalization in such counties; and to provide for the proceedings and procedure in the circuit court, on such appeals."

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 8, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Cooper, Younce, Quarles, Jackson (F), McCulley, Turnham, Edwards, Weeks, Carothers, Smith (J), Towns, Carter, Moore (W), Sparks, McNees, Morris, Clark, Pegues, Sonnier, Langford, Glass, Kennedy, Lutz, Johnstone, Callahan, Buskey, Owens and Venable:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

Ways and Means.

By Messrs. Cooper, Younce, Quarles, Jackson (F), McCulley, Turnham, Edwards, Weeks, Carothers, Smith (J), Towns, Williams, Carter, Moore (W), Sparks, McNees, Morris, Clark, Pegues, Sonnier, Langford, Glass, Manley, Kennedy, Lutz, Johnstone, Callahan, Buskey:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Biddle and Waggoner:

H. 11. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of

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1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

State Administration.

By Messrs. Barron, Plaster and Wyatt:

H. 12. To provide further for the distribution of the profits of the ABC Board.

Ways and Means.

By Mr. Waggoner:

H. 13. To amend Section 3 of Act No. 175, So. 280, 1951 Regular Session (Acts of 1951, p. 417) as amended, relating to organization of and compensation for members of the Board of Directors for Public Corporations created by Municipalities for the purpose of owning, operating and financing a waterworks plant and system, a sanitary sewer system, a gas plant and system and an electric plant and system, or any one or more of such plants and systems.

Ways and Means.

By Mr. Killian:

H. 14. To amend Section 40-18-19 of the Code of Alabama 1975 relating to exemptions from state income taxes so as to provide further for such exemptions.

Ways and Means.

By Messrs. Sonnier and Cooper:

H. 15. To be known as the "Historical Preservation Authorities Act of 1978"; to authorize the incorporation in this state of public corporations for the purpose of undertaking and making or causing to be made engineering, architectural, technical, financial, legal and other appropriate studies and surveys with respect to restoring, renovating, preserving, improving, protecting or maintaining any public or private property within the state that has been listed in the National Register of Historic Places, restoring, constructing, acquiring, owning, operating, leasing, selling and otherwise disposing of such property, and cooperating with and lending financial assistance and other aid to municipalities, communities, counties, individuals, associations, partnerships, and public and private corporations in any matters and undertakings having to do with or the end purpose of which is to restore, renovate, preserve, improve, protect or maintain such property; to provide the method of incorporating such corporations, the management thereof, and the election of directors thereof; to specify the powers and duties of such corporations; to authorize such corporations to issue bonds payable solely from the revenues of such corporations derived from the operation or leasing of such property and to secure such bonds by pledges of such revenues and by mortgages on such property; to provide that no bond or obligation created or assumed by such corporations shall create an obligation or debt of any county or municipality or of the state; to authorize the refunding of any such bonds; to provide that all such bonds shall be negotiable instruments; to authorize such corporations to enter into contracts to secure payment of such bonds; to authorize such corporations to create a statutory mortgage lien on property of such corporation in favor of the holders of such bonds; to provide for the use of proceeds from the sale of bonds of such corporations; to authorize any county, municipality, or other political subdivision, public corporation, agency or instrumentality of this state to lend or donate money to or perform services for the benefit of such corporations, or to donate, sell, convey, transfer, lease or grant to such corporations, with-

out the necessity of authorization at any election of qualified voters, any property of any kind, any interest therein and any franchise, and to do any and all things, whether or not specifically authorized in this act and not otherwise prohibited by law, that are necessary or convenient in connection with aiding and cooperating with such corporations in furtherance of their corporate purposes; to exempt from taxation such public corporations and their property and income, all bonds issued by such corporations, the income and interest from such bonds, conveyances by and to such corporations, and leases, mortgages and deeds of trust by and to such corporations; to provide for the filing of the certificates of incorporation or the recording of any document by such corporations without the payment of any fees, taxes or costs; to provide for reports by such corporations to the governor; to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law; to provide for the severability of the provisions hereof; to provide the effective date hereof; to exempt any corporation organized hereunder from Sections 41-16-50 through 41-16-63 of the CODE OF ALABAMA 1975; and to provide for the dissolution of such corporations and the disposition of their property upon dissolution.

State Administration.

By Mr. Killian:

H. 16. To amend Section 12-17-290 of the Code of Alabama 1975 relating to time qualifications for becoming a supernumerary reporter so as to provide the alternative of adding other tenure for qualifying as a supernumerary reporter.

Ways and Means.

By Mr. Killian (With Notice and Proof):

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 17, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Sonnier (With Notice and Proof):

H. 18. To provide a hearing officer for school boards for the purpose of hearing contested contract cancellations of teachers on continuing service status in certain counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census in the State of Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 18, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Carothers:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the

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repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Ways and Means.

By Messrs. Sonnier and Cooper (With Notice and Proof):

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 20, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Sonnier (With Notice and Proof):

H. 21. To amend Section 5 of an act entitled "An Act to regulate the public schools of the County of Mobile," approved February 15, 1876, as last amended; so as to provide further for the filling of vacancies on the said Board of School Commissioners.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 21, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Sonnier, Cooper, Younce and Smith (M):

H. 22. To amend Section 40-23-4 of the Code of Alabama 1975 to exempt food purchased for human consumption that will be prepared and consumed off premises when purchased by individuals sixty-five (65) years of age or older, provided, however, that this exemption shall not apply to any sales, use or privilege tax levied for or by any county, incorporated city, town or municipality, or the collection thereof.

Ways and Means.

By Messrs. Pegues, Quarles, Plaster, Mitchem, Merrill, Robertson, Coburn, Sasser, Crowe, Jackson (F), Campbell, Manley, Waggoner, Killian, Edwards, Weeks, Owens, McNeese, Carter, Riddick, Moore (O), Cooper, Roberts, Moore (W), Ray, Morris, Gafford, Warren and Shoemaker:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Em-

ployees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Ways and Means.

By Messrs. Pegues, Plaster, Merrill, Robertson, Mitchem, Coburn, Quarles, Sasser, Crowe, Jackson (F), Campbell, Manley, Waggoner, Killian, Edwards, Weeks, Owens, McNees, Carter, Riddick, Moore (O), Cooper, Roberts, Moore (W), Ray, Morris, Gafford, Warren and Shoemaker:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Ways and Means.

By Messrs. Clark and Robertson (With Notice and Proof):

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 25, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Clark and Manley (With Notice and Proof):

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 26, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Lee:

H. 27. To amend Section 43-3-1 of the Code of Alabama 1975, which provides for the descent and distribution of real estate of an intestate, so as to change the order of succession.

Judiciary.

By Messrs. Lee, Robertson and Clark:

H. 28. To exempt the Phoenix House, Inc., of Tuscaloosa; the Tuscaloosa County Historical and Preservation Society of Tuscaloosa;

the Arts and Humanities Council of Tuscaloosa County, Inc.; and the Junior League of Tuscaloosa, Inc., from the payment of all state, county, and municipal sales and use taxes.

Ways and Means.

By Messrs. Pegues, Campbell, Mitchem, Ray, Sonnier, Jackson (F), Turnham, Waggoner, Sandusky, Manley, McCorquodale, Killian, Gafford, Crowe, Sasser, Plaster, Owens, Falkenburg, Moore (O), McNeese, Cooper, Boles, Carter, Edwards, Merrill, Cates, Shelton, McMillan, McCluskey, Sparks, Jolly, Hill and Shoemaker:

H. 29. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gafford:

H. 30. To amend Section 40-9-1 of the 1975 Code of Alabama, as amended, so as to exclude from ad valorem taxes certain improvements or additions to property for 10 years or until the property is sold.

State Administration.

By Messrs. Riddick and Smith (B):

H. 31. To amend Sections 22-21-133 and 22-21-145 of the Code of Alabama 1975, as heretofore amended, relating to municipal hospital authorities, so as to correct certain typographical errors, to make more specific provisions for certain specified publications and for the filing of amendments to the charters of municipal hospital authorities.

State Administration.

By Messrs. Riddick, McCorquodale, Barron, Kinsey, Smith (B) and Wyatt:

H. 32. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Ways and Means.

By Messrs. Riddick, Smith (B) and Greer:

H. 33. To establish a student assistance program in the State of Alabama to be known as the Alabama Guaranteed Student Loan Program, which will guarantee loans made by approved lenders to residents of Alabama who are attending or plan to attend qualified institutions in the State or elsewhere, for the purpose of assisting them in meeting educational expenses; to set forth legislative findings and purposes underlying the Program; to designate the Alabama Commission on Higher Education to administer the program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to provide for periodic auditing of approved institutions; to provide a penalty for false statements of misrepresentation in connection with the Program; to establish continuance of the Program; to designate the Attorney General as legal counsel for the Program; to make an appropriation establishing the Program from the Special Educational Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Ways and Means.

By Mr. Smith (M):

H. 34. To amend Section 16-13-144 of the Code of Alabama, 1975, which section prohibits deficit spending by county and city boards of education, so as to provide that any school district which violates the section for one year shall be exempted from the penalty of reduction in the minimum program fund allotment for the succeeding year to which such board of education otherwise is entitled. The exemption shall be made only one time and shall be made in the year immediately succeeding the deficit spending.

State Administration.

By Mr. Cross:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

Local Legislation No. 1.

By Messrs. Turnham, Waggoner, Gafford, Plaster, Weeks, Merrill, Callahan, McCluskey, Drake and Robertson:

H. 36. To amend the title and Sections 1 and 4 of Act 728, approved May 2, 1978, Regular Session Alabama Legislature 1978 so as to authorize a cost of living raise for Circuit Clerks.

Ways and Means.

By Messrs. Merrill, Manley, Owens, Robertson and Sonnier:

H. 37. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Ways and Means.

By Mr. Merrill:

H. 38. To amend Section 2, Subsection III (a) (9) (c) of Act No. 597, H. 244 of the 1978 Regular Session, which act makes appropriations from various funds of the state for the ordinary expenses of the executive, legislative and judicial functions of government for the fiscal year ending September 30, 1979, so as to increase the A. B. C. Board appropriation in the Administrative Services Program by \$1,000,000.

Ways and Means.

By Mr. Merrill:

H. 39. To require all of the right, title and interest of the State of Alabama in and to the real property acquired by and in the name of the State of Alabama for the use and benefit of the state educational institution formerly known as Jacksonville State College at Jacksonville, Alabama, is hereby conveyed to and vested in Jacksonville State University, the body corporate created by Act No. 239, Regular Session 1967, approved August 16, 1967.

Ways and Means.

By Messrs. Merrill, Shelton and Quarles (With Notice and Proof):

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

1st Day

TACHED TO THE BILL, H. B. 40, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Merrill, Shelton and Quarles (With Notice and Proof):

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 41, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Merrill, Shelton and Quarles (With Notice and Proof):

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 42, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Merrill and Shelton (With Notice and Proof):

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for Violation of this Act.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 43, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Merrill:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hines:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Local Legislation No. 1.

By Messrs. Pegues, Cooper, Falkenburg and White:

H. 46. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

State Administration.

By Messrs. McCorquodale, Mitchem, Manley, Turnham, Smith (M), Quarles, Waggoner, Gafford, Ford, Sandusky, Hill, Crowe, Moore (O), Kelley, Warren, Greer, Dial, Smith (B), Falkenburg, Morris, Roberts, Sonnier, Cross, McCulley, Lee, Towns, Clark, Pegues, Drake, Carothers, Sasser, McCluskey, Whatley, Edwards, Baker, Williams, Jackson (F), Kennedy, Carter, Lutz, Weeks, Shoemaker, Naramore, Crawford, Armstrong, Kinsey, Thomas, Johnstone, Smith (C), Plaster, Robertson, Holley, Merrill, Venable, Glass and Howard:

H. 47. To authorize Alabama Public School and College Authority to sell and issue two hundred and nineteen million dollars (\$219,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Ways and Means.

1st Day

By Messrs. Riddick, Smith (B) and Greer:

H. 48. To amend Section 41-8-1 through Section 41-8-7 of the Code of Alabama 1975 so as to change the name of the Alabama Public Library Service to the State Library of Alabama and to provide that the director shall be known as the state librarian.

State Administration.

By Messrs. Riddick and Smith (B):

H. 49. To provide a supplemental appropriation of \$729,800 from the special educational trust fund for capital outlay purposes for certain emergency renovation projects at J. F. Drake State Technical College and to regulate the use of such funds.

Ways and Means.

By Messrs. Crowe and Sparks (With Notice and Proof):

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 50, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Naramore and Crowe:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Ways and Means.

By Mr. McCulley (With Notice and Proof):

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 52, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. McCulley (With Notice and Proof):

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

TACHED TO THE BILL, H. B. 53, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. McCulley (With Notice and Proof):

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 54, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Waggoner, Carothers, Falkenburg, McMillan, Crowe, Sandusky, Manley, Gafford, Kelley, McCulley, Weeks, Callahan, Mitchem, Carter, Morris, Boles, Warren, Kinsey, White:

H. 55. To exempt the Kidney Foundation of Alabama, Inc., from the payment of all state, county and municipal sales and use taxes.

Ways and Means.

By Messrs. Carothers, Smith (J) and Crawford (With Notice and Proof):

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 56, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Carothers and Crawford (With Notice and Proof):

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 57, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

1st Day

By Mr. Waggoner (With Notice and Proof):

H. 58. To change the compensation of the probate judge of Shelby County, Alabama.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 58, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Waggoner (With Notice and Proof):

H. 59. Relating to Shelby County; to authorize and direct the county governing body to establish and maintain separate office space in the courthouse and branch offices for the judge of probate; to provide that such offices shall be used primarily for the licensing functions and duties of said probate judge's office; to provide that said probate judge shall establish operational rules and regulations concerning such offices; to provide for payment of professional fees, dues and cost of training for the probate judge and certain clerical personnel.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 59, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Waggoner (With Notice and Proof):

H. 60. Relating to Shelby County; to transfer certain duties with relation to the issuance of motor vehicle licenses and the collection of taxes thereon from the offices of tax assessor and tax collector to the office of judge of probate.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 60, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Waggoner, Quarles, Falkenburg, Dial, Moore (O), McNeese, Crowe, Gafford, Towns, Thomas, Boles, White and Naramore:

H. 61. To make an appropriation of \$870,000 to the Department of Public Health for the procurement, construction and equipping of a Clinical Laboratory in Jefferson County.

Ways and Means.

By Messrs. Waggoner, Quarles, Falkenburg, Dial, Moore (O), McNeese, Crowe, Gafford, Towns, Thomas, Boles, White and Naramore:

H. 62. To make an appropriation of \$870,000 to the Department of Public Health for the procurement, construction and equipping of a Clinical Laboratory in Jefferson County.

Ways and Means.

By Mr. Waggoner (With Notice and Proof):

H. 63. Relating to Shelby County; to authorize the appointment of

deputy registrars and the delegation of certain duties of registrars to certain clerks in the office of the probate judge.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 63, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Robertson, Naramore, Clark, Carter, Plaster, Merrill and Drake:

H. 64. To provide twenty dollars per month for each retired educator to be used for hospital-medical insurance; to appropriate \$3,600,000 from the Alabama Special Educational Trust Fund; to provide for the system of payment.

Ways and Means.

By Messrs. Riddick, Greer, Hill, Mitchem, Coburn, Goodwin, Carter, Sparks, Kelley, Moore (W), Ford, Crowe, Smith (B), Weeks, Armstrong, Cross, Lutz, Martin, Killian, Towns and Roberts:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors.

Ways and Means.

By Messrs. Trammell and Boles:

H. 66. To amend Section 36-26-24 of the Code of Alabama 1975 so as to provide further for transfers of classified state employees.

State Administration.

By Messrs. Trammell and Boles:

H. 67. To amend Section 40-7-60, Code of Alabama 1975, which relates to the statewide property reappraisal program, so as to place certain limits on the percentage of annual increase in ad valorem assessment valuation schedules for motor vehicle tags.

State Administration.

By Messrs. McCluskey, Drake, McCorquodale, Manley, Robertson, Turnham, Greer, Kelley, Cross, Dial, Crowe, Roberts, Lutz, Shoemaker, Smith (M), Plaster, Coburn, Pegues, Holley, Leonard, Clarke, Weeks, Ford, Killian, Reed, Gafford, Williams, Wyatt and Waggoner:

H. 68. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Ways and Means.

By Messrs. Wyatt and Langford (With Notice and Proof):

H. 69. Relating to Montgomery County; to authorize any restaurant, hotel, dining room or other such place of business having a license to sell alcoholic beverages to dispense, sell, and allow the drinking of alcoholic beverages on New Year's Eve commencing at 6:00 p.m.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

1st Day

TACHED TO THE BILL, H. B. 69, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Wyatt:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Mr. Clarke:

H. 71. To amend Section 34-3-17 and Section 34-3-18, Code of Alabama 1975, such sections authorizing certain qualified lawyers to become members of the Alabama bar association, so as to regulate further the annual dues to be paid by such members.

Judiciary.

By Mr. Clarke:

H. 72. To amend Section 34-3-3, Code of Alabama 1975, relating to the fees to be paid by certain applicants for admission to the bar so as to increase such fees.

Judiciary.

By Mr. Clarke:

H. 73. To amend Section 40-12-49, Code of Alabama 1975, relating to the annual license tax of attorneys so as to regulate further the payment of such license tax by certain attorneys.

Judiciary.

By Messrs. Lockett, Campbell and Pegues:

H. 74. To amend Sections 9-11-250 through 9-11-252 of the 1975 Code of Alabama, relating to illegal deer hunting, so as to provide for the confiscation, forfeiture, and disposal of all equipment used in committing said offense.

Conservation.

By Mr. Martin:

H. 75. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

State Administration.

By Messrs. Martin, Roberts, Cross and Drake (With Notice and Proof):

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

TACHED TO THE BILL, H. B. 76, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Sparks and Crowe (With Notice and Proof):

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 77, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Weeks and McNees (With Notice and Proof):

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 78, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Harris:

H. 79. To exempt the South Alabama State Fair Association, a non-profit corporation, from the payment of all state, county, and municipal sales taxes levied upon admission tickets sold by the Association for its South Alabama State Fair.

Ways and Means.

By Messrs. Waggoner, Carter, Sonnier, Morris and Roberts:

H. 80. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Ways and Means.

By Messrs. Younce and Kennedy:

H. 81. To amend Section 40, Chapter 43, Title 11 of the Code of Alabama, 1975, to provide in paragraph (a), subdivision (4) thereof that the five aldermen shall be elected from districts to be established by the city council.

Local Government.

By Mr. Morris:

H. 82. To provide for regulation and retroactive adjustment of expense allowances for the district attorney for the Fifth Judicial Circuit in amounts equal to those already provided for the circuit judges; to provide that the provisions of this Act shall be retroactive to January 18, 1977.

Local Legislation No. 1.

1st Day

By Mr. Morris (With Notice and Proof):

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 83, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Waggoner (With Notice and Proof):

H. 84. Relating to Shelby County; amending Sections 5 and 10 of Act No. 62, H. 213 of the 1977 Regular Session, which act relates to districts for fighting or preventing fires, so as to further provide for elections concerning such districts and service charges and filling vacancies on the Board of Trustees.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 84, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Gregg, Moore (W), Smith (B) and Albright (With Notice and Proof):

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 85, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Morris (With Notice and Proof):

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 86, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Jolly (With Notice and Proof):

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

TACHED TO THE BILL, H. B. 87, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Drake:

H. 88. To provide for a guaranteed minimum starting wage or salary for all county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Local Government.

By Mr. Drake:

H. 89. To provide Class C misdemeanor punishment, upon conviction, for the sale of any substance containing alcohol, which substance is not regulated by the Alabama Alcoholic Beverage Control Board, when the seller thereof knows or reasonably suspects that such substance will be consumed by any person as a beverage.

Judiciary.

By Mr. Drake:

H. 90. To provide for the payment of legal fees and court costs to defend law enforcement officers and to provide appropriations for such defense costs.

Ways and Means.

By Mr. Harrison (With Notice and Proof):

H. 91. To authorize and provide for the incorporation in Jefferson County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in such county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities, including roads, railroads, pipelines, conveyors, and facilities suitable for use as manufacturing plants, industrial plants, and leasing or letting such buildings, structures, or facilities; to provide for the appointment and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone and, if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the bene-

1st Day

fit of, and, without the necessity of an election and with or without consideration, transfer any port facilities or other property to any such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities, and all conveyances, leases, mortgages and deeds of trust to which such authority is a party, from all taxation in the state, including license and excise taxes, levied by any county, municipality, or political subdivision of the state; to exempt such authority from payment of certain charges to judges of probate; to exempt every authority from certain tort liability; and to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of the county and municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of both the city and county, and, if there is no such system, then to either the county or municipal system, which the authority selects; and to provide for the dissolution of any such authority and the disposition of its property.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 91, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Harrison, Thomas, McNair, Hopping, Trammell, Andrews and Howard (With Notice and Proof):

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and or provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 92, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. McNair, Boles and Harrison (With Notice and Proof):

H. 93. Relating to Jefferson County; levying an additional 1% lodging tax to be used by the Greater Birmingham Convention and Visitors Bureau to be used for the promotion of Birmingham as a con-

vention and visitors destination; providing that the Director of Revenue shall collect such tax.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 93, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Drake:

H. 94. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and facilities when such businesses come within the same circumstances.

Judiciary.

By Mr. Drake:

H. 95. To authorize the carrying of a handgun by any honorably retired law enforcement officer whose retirement was not based on any pending disciplinary or legal action and to provide for the revocation of such authorization.

Judiciary.

By Mr. Drake:

H. 96. Proposing an amendment to the Constitution of Alabama, relating to the compensation of members of the legislature.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Drake:

H. 97. To amend further Section 16-31-4 Code of Alabama, 1975 as amended which provided for a supplemental appropriation of \$100.00 from the Special Educational Trust Fund for each American Legion and American Legion Auxiliary scholarship awarded pursuant to Chapter 31, Title 16, Code of Alabama 1975 so as to increase the amount of said supplemental appropriation to \$200.00 per scholarship.

Ways and Means.

By Mr. Drake:

H. 98. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Ways and Means.

By Mr. Drake:

H. 99. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Health.

1st Day

By Messrs. Smith (B), Greer and Riddick:

H. 100. To amend Section 20-2-54, of the Code of Alabama, 1975, so as to make the conviction of a crime under any State or Federal law relating to any controlled substance a ground for suspension or revocation of a registration and to allow the Certifying Boards to regulate the excessive prescribing of controlled substances.

Health.

By Messrs. Smith (B) and Riddick:

H. 101. To amend Section 34-26-22, Code of Alabama 1975, by changing the biennial registration fee for licensed psychologists to an annual registration fee of \$50.00; to amend Section 34-26-43, Code of Alabama 1975, by increasing the application fee for permanent licenses as psychologists to \$125.00; and to provide for an examination fee for candidates for licensure as psychologists not to exceed \$100.00.

Health.

By Messrs. Kinsey and McMillan (With Notice and Proof):

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 102, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Kinsey and Carter:

H. 103. To repeal Sections 9-2-14 and 9-2-15 of the Code of Alabama 1975, which create and regulate an advisory board of conservation and natural resources.

Conservation.

By Messrs. Kinsey, McMillan and Carter:

H. 104. To amend Section 9-2-8, Code of Alabama 1975, which relates to the promulgation of rules and regulations by the commissioner of conservation and natural resources in regard to game and fish laws of this state, so as to provide for a procedure of legislative review and approval of all such rules and regulations, with certain exceptions.

Conservation.

By Messrs. Hill and Greer:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Ways and Means.

By Messrs. Hill and Greer (With Notice and Proof):

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 106, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Hill:

H. 107. To amend Section 17-4-43, Code of Alabama 1975, which provides for the compensation of members of the various boards of registrars, so as to provide further for the compensation of such persons and to clarify some ambiguous language concerning the method of payment of such persons.

Ways and Means.

By Messrs. Hill and Greer:

H. 108. Relating to the operation of vehicles in this state; amending Sections 32-5-170 and 32-5-50 of the Code of Alabama 1975, so as to provide that the driving of a vehicle of any kind by a person under the influence of any narcotic or drug or by an intoxicated person or the driving thereof recklessly on a public highway or road, or at any other place to which the public generally is invited shall be offenses proscribed by such sections.

Judiciary.

By Mr. Hall:

H. 109. Proposing an amendment to the Constitution restricting the number of days for regular sessions of the legislature, prescribing the manner for legislative consideration of the general fund budget bill and the special educational budget bill and the time frame therefor.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hall and Boles (With Notice and Proof):

H. 110. Relating to Jefferson County; to provide for the payment of debts upon the annexation of a fire district, or a portion thereof, by municipal corporations, and to specifically repeal and supersede Act No. 604, H. 541, 1976 Regular Session (Acts 1976, p. 820).

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

1st Day

TACHED TO THE BILL, H. B. 110, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Merrill (With Notice and Proof):

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 111, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Merrill (With Notice and Proof):

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

Ways and Means.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 112, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Turnham:

H. 113. To make an appropriation for capital outlay purposes at the main campus of Auburn University for the fiscal year ending September 30, 1979.

Ways and Means.

By Mr. Turnham:

H. 114. To regulate the practice of counselors in Alabama; to create a Board of Examiners in Counseling; to prescribe the duties and powers of said board; to provide for the examination and licensure of counselors and the examination and certification of counselor associates; to fix penalties for the violation of this act; to impose licensure and certification fees and to provide for the use of funds received.

Ways and Means.

By Messrs. Plaster and Edwards (With Notice and Proof):

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 115, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Sasser:

H. 116. To provide that the inspection of the plant facilities and operations of custom abattoirs or custom meat processors shall be under the jurisdiction of the state board of health as provided for in Section 22-2-2 of the Code of Alabama 1975.

Agriculture.

By Mr. Glass:

H. 117. To further amend Section 11-41-1 of the Code of Alabama 1975, as amended, relating to the authority of certain unincorporated municipalities to incorporate, so as to reduce the required percentage of qualified electors necessary to sign the petition for calling an election, on certain islands, on the question.

Local Government.

By Mr. Sasser (With Notice and Proof):

H. 118. To alter and rearrange the boundaries of the Town of Arton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 118, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Sasser:

H. 119. To repeal Sections 39-4-1-39-4-18, Code of Alabama 1975 which provides for the payment of the prevailing minimum wages under public works projects.

Business and Labor.

By Messrs. Manley and Clark:

H. 120. To provide for county law libraries in each county, and for the personnel, space, funding, operation, and maintenance thereof, making said law libraries part of a loose network with the other law libraries in the state for their mutual benefit; permitting present county law libraries to come under the provisions of this act if they elect to do so.

Judiciary.

By Messrs. Manley and Pegues (With Notice and Proof):

H. 121. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 121, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Manley and Pegues (With Notice and Proof):

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

1st Day

TACHED TO THE BILL, H. B. 122, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN C. PEMBERTON, CLERK

By Mrs. Quarles (With Notice and Proof):

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city,

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 123, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Whatley:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts and for the levy and collection of fees for fire protection services.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mrs. Quarles:

H. 125. To name the new Moody High School in St. Clair County, the "Roy and Vera B. Gibson High School."

State Administration.

By Messrs. Owens and Manley:

H. 126. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of regular sessions of the legislature held during even numbered years and to provide that pending budget matters be acted upon before any other legislation during such sessions.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Mr. Owens:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

State Administration.

By Mr. Owens:

H. 128. To further amend Sections 34-7-1, 34-7-4, 34-7-5, 34-7-7, 34-7-11, 34-7-19, 34-7-24 and 34-7-40 of the Code of Alabama 1975, as amended, and specifically repeals Sections 34-7-22 and 34-7-23 of the Code of Alabama 1975, as amended, which sections relate to the practice of cosmetology, so as to further regulate the profession.

State Administration.

By Messrs. Johnstone, Cooper, Younce, Glass, Kennedy, Sandusky, Buskey, Callahan and McMillan (With Notice and Proof):

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 129, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Johnstone and Manley:

H. 130. To amend Act No. 754, S. 231, Regular Session 1976 (Acts 1976, p. 1038), relating to certain alternative sentencing of convicted offenders, so as to provide further for the period of time for which an offender may be incarcerated; to provide for proof of civil damages in criminal prosecutions for crimes against the persons or property of others and for civil verdicts and judgment upon such proof in favor of the victims of such crimes; to provide for appeals and alternate proceedings; to provide procedures; to provide for the payment and collection of such civil judgments; to repeal conflicting laws; to provide severability; and to provide an effective date.

Judiciary.

By Mr. Crawford:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Ways and Means.

By Messrs. Crawford and Sasser (With Notice and Proof):

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 132, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Moore (W):

H. 133. To propose an amendment to the Constitution of Alabama to prospectively eliminate the growth of various supernumerary and judicial retirements by providing that certain future elected and appointed public officers and employees of the state shall become members of the Employees' Retirement System of Alabama; and to provide that this amendment shall not apply to any such officer or employee who is employed or holding office on the date this amendment becomes effective.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Moore (W):

H. 134. To authorize Alabama Building Finance Authority to sell and issue not exceeding \$11,000,000 principal amount of bonds for the purpose of constructing public office building facilities and altering, constructing additions to, and improving and renovating certain existing public office building facilities, and removing existing structures, and for the procurement of sites and equipment for such facilities or additions thereto, and for the construction of parking facilities; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and the recording thereof and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create obligations or debts of the state; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction of public office building facilities, the alteration, construction of additions to, and improvement and renovation of certain existing public office building facilities and for the equipment of such facilities or additions thereto by the Authority; to authorize the removal of existing structures and the construction of parking facilities; to authorize the conveyance to the Authority of lands owned by the state; to authorize the purchase of certain real property for such purposes; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities (when and as such revenues become available to the Authority) which may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of the bonds and the creation of the pledge as a lien on the revenues, which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, counties, municipal corporations, other public bodies, and private persons, firms, corporations or associations, of space for occupancy in said facilities or additions thereto; to amend Section 25 of Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama; to amend Section 18 of Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama; and to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Ways & Means.

By Mr. Holley:

H. 135. To provide minimum competency tests at grades three (3) or four (4), seven (7) or eight (8), ten (10) or eleven (11); to provide for a commission on competency testing to be appointed by the Governor; to establish minimal standards; to provide for the construction and administration of tests; and to coordinate the testing program with the State Department of Education, the State Textbook Committee and the State Course of Study Committee; to provide for remedial programs to be developed by local school boards and local educators with such plans being submitted to the State Department of Education; and to provide the funding of such local programs developed in accordance with the appropriations made from time to time by the Legislature; to provide

further that beginning with the school year 1983-84 all high school graduates in order to receive a diploma will have passed minimum competency tests, including but not limited to the successful demonstration of basic computational skills, communication skills, and reading skills; and to further provide that students shall take competency tests at grades ten (10) or eleven (11) and shall be permitted to re-take such tests until they have been successfully passed, to provide, upon completion of such academic courses as are required for high school graduation and passage of competency tests, for graduation from high school; to provide for the Commission to develop appropriate competency tests for grades three (3) or four (4), seven (7) or eight (8), and ten (10) or eleven (11), and distribute such tests to local school systems for administration; to provide implementation of testing and remediation programs to begin upon the completion of the tests by the Commission and the necessary appropriations provided on an annual basis by the Legislature; to provide an appropriation for the Commission on Basic Competency Testing for the fiscal year ending September 30, 1979.

Education.

By Mr. Cates:

H. 136. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

Insurance.

By Messrs. Crawford and Sasser (With Notice and Proof):

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 137, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. McMillan (With Notice and Proof):

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 138, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. McMillan:

H. 139. Appropriating \$4,976.80 from the state general fund for the relief of Thomas H. Frazier who incurred said amount of medical expenses as a result of certain injuries suffered by his minor son, Brian Craig Frazier.

Ways and Means.

By Mr. Johnson:

H. 140. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Highway Safety.

By Mr. Trammell:

H. 141. To exempt the Grand Chapter of the order of the Eastern Star of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Ways and Means.

By Mr. Venable:

H. 142. To provide for the preparation of a synopsis of constitutional amendments to appear on the ballot.

Constitution and Elections.

By Messrs. Johnson and Lee:

H. 143. To amend the title and sections 1, 4, and 5 of Act No. 824, S. 407, 1978 Regular Session, approved May 4, 1978, relating to genetics service in public health so as to provide further for appropriations to such service from the special educational trust fund.

Ways and Means.

By Mr. McCluskey and Armstrong:

H. 144. To regulate certain marine dealership practices in the State of Alabama.

Ways and Means.

By Messrs. Johnson and Lee:

H. 145. To amend Section 28-3-135 of the Code of Alabama 1975 relating to the issuance of liquor license and the rights conferred by such licenses so as to further regulate the issuance and revocation of such licenses.

Judiciary.

By Messrs. Callahan, Drake, Pegues, Manley, McCorquodale, Cooper, Waggoner, McNair, Carothers, Crawford, Roberts, Sandusky, Younce, Campbell, Warren, Jackson (F) and Reed:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and

administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to make an appropriation funding the program from the Special Education Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Ways and Means.

By Messrs. Jackson (F), Holley and Smith (J) (With Notice and Proof):

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 147, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Callahan:

H. 148. To provide the manner corporations not of a business nature may amend or alter their charters.

Judiciary.

By Mr. Armstrong:

H. 149. Relating to divorce and alimony; to provide that the judge trying a divorce case shall have the right to award alimony to either spouse as the circumstances of the case may justify and to repeal all conflicting statutes.

Judiciary.

By Mr. Campbell:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Health.

1st Day

By Mr. Campbell:

H. 151. To amend Section 32-9-20 of the Code of Alabama 1975, relating to the size and weight limits of motor vehicles and loads, so as to decrease the maximum legal truck weights.

State Administration.

By Messrs. Campbell and Manley (With Notice and Proof):

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 152, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

LB

JOHN W. PEMBERTON, CLERK

By Messrs. Campbell and Manley (With Notice and Proof):

H. 153. To repeal Act No. 232, H. 693, approved September 11, 1975, Regular Session 1975 (Acts 1975, p. 759), entitled, "An Act Authorizing the county commission of Sumter County to pay the sheriff of Sumter County a monthly expense allowance of two hundred fifty dollars (\$250.00)."

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 153, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Campbell and Manley (With Notice and Proof):

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 154, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Moore (W):

H. 155. Proposing an amendment to the Constitution of Alabama relative to the powers of initiative and referendum.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Holley and Ray (With Notice and Proof):

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 156, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Moore (O), Weeks, McNees, Falkenburg, Manley and Boles:

H. 157. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act To fix the compensation of certain State Officers."

Ways and Means.

By Mr. McNair:

H. 158. To amend Section 40-21-83 of the Code of Alabama, 1975, which prescribes exclusions from the utility gross receipts tax levied by Article 3, Chapter 21, Title 40, Code of Alabama 1975, so as to provide an exclusion for any individual who is totally disabled or who is sixty-five years of age or older on their residence; to provide a method for claiming the exemption and a penalty for a false claim.

Ways and Means.

By Mr. Smith (C):

H. 159. To provide for privileged communications with clergymen.

State Administration.

By Mr. Drake:

H. 160. To regulate further the taking of leave or vacation time of certain employees of the school systems of the State.

Education.

By Mr. Drake:

H. 161. To amend Act No. 1233, Regular Session 1975, to include educators as persons exempted from civil liability when rendering emergency care.

Judiciary.

By Mr. Drake:

H. 162. To provide for all probate judges paid on a salary basis an additional expense allowance in an amount sufficient to maintain their total compensation equal to not less than ninety percent (90%) of that paid to the highest paid circuit court judge until the expiration of the present term of office of each such individual probate judge; to provide that upon the expiration of the present term the total salary and compensation paid such officer shall be not less than ninety percent (90%) of the total annual compensation, payable from state and county funds, to the presiding circuit court judge in the county he serves; to provide that the expense allowance and the compensation established herein shall be paid from the county funds, on the same proportionate basis as is the salary for the probate judge now provided by law; and to exempt from the provisions of this act any probate judge paid on a fee basis until such time as he is put on a salary basis.

Ways and Means.

SECOND EXTRAORDINARY SESSION
1st Day

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By Mr. Drake:

H. 163. Relating to the office of the attorney general; authorizing and directing the attorney general to establish within that office a section charged with the investigation and prosecution of offenses against the aged; prescribing the duties of such section; providing for the personnel thereof; and repealing conflicting laws.

State Administration.

By Mr. Drake:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Ways and Means.

By Mr. Drake:

H. 165. To provide continuing annual appropriations from the State general fund to certain volunteer fire departments for equipment purchases.

Ways and Means.

By Messrs. White, Manley, Gafford, Falkenburg, Boles, Hall, Pegues, Campbell, Roberts, Martin, Armstrong, Morris and Lockett:

H. 166. To amend Section 4 of Act No. 594, H. 308, 1978 Regular Session, entitled, "An Act To provide for the qualifications and selection of jurors; to provide for a master list, master jury box and trial court box; to provide for qualification forms and the questionnaires to be used thereon; and to repeal Sections 12-16-2, 12-16-4, 12-16-37, 12-16-39, 12-16-41, 12-16-42, and 12-16-43 of the Code of Alabama 1975," so as to provide further for the exact date for emptying and refilling the master jury boxes.

Judiciary.

By Mr. Owens:

H. 167. Relating to meetings of certain public bodies; to forbid closed, secret or executive meetings except in certain circumstances; to define "governing body" and "meeting"; to provide for adequate public notice of meetings; to ensure that proceedings of meetings are recorded and open to the public; to declare actions taken at such meetings void; to provide criminal penalties and a civil remedy for violations hereof; to repeal Code of Alabama 1975, Section 13-5-1 and other conflicting laws.

State Administration.

By Mr. Manley:

H. 168. To amend Section 1-1-10 of the Code of Alabama 1975, relating to the repeal of certain uncodified statutes, so as to carry forward the application of certain provisions saving from repeal certain uncodified statutes to any future codification of statutes; and to provide for retroactive effect.

Judiciary.

By Messrs. Manley, Pegues, McCorquodale, Gafford, Callahan, Crowe, Owens, Carothers, Lee, Kelley, Greer, Barron, Lutz, Campbell, Riddick, Whatley, Starkey and Hill:

H. 169. Proposing an amendment to the state constitution relative to carrying forward the general appropriation bill and the Special Educational Trust Fund appropriation bill for an additional year in the

event the legislature fails to pass either of such bills before the beginning of the new fiscal year.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, Merrill, McMillan, Kinsey, Owens, Smith (M), Carothers, Crowe, Shoemaker, Campbell, Lee, Harris, Greer, Kelley, Dial, Barron, Lutz, Drake, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNeese, Baker, Shelton, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Morris, Whatley, Crawford, Carter, Starkey, Edwards, Hill and Younce:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Owens, Merrill, Smith (M), Carothers, Crowe, Shoemaker, Lee, Campbell, Greer, Kelley, Dial, Barron, Lutz, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNeese, Baker, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

State Administration.

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Smith (M), Owens, Merrill, Carothers, Crowe, Shoemaker, Lee, Greer, Dial, Barron,

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Kelley, Lutz, Campbell, Baker, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNeese, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

State Administration.

By Messrs. Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Plaster, McMillan, Kinsey, Merrill, Smith (M), Owens, Carothers, Crowe, Shoemaker, Lee, Greer, Kelley, Dial, Campbell, Barron, Lutz, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNeese, Jolly, Johnson, Jackson (F), Smith (C), Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Baker, Crawford, Carter, Starkey, Hill, Edwards and Younce:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

State Administration.

By Messrs. Owens, Manley, Pegues, McCorquodale, Robertson, Quarles, Mitchem, Gafford, McCulley, Merrill, McMillan, Plaster, Kinsey, Crowe, Kelley, Smith (M), Carothers, Shoemaker, Jackson (F), Harris, Dial, Barron, Campbell, Weeks, Baker, Thomas, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Smith (B), Riddick, McNeese, Jolly, Johnson, Smith (C), Glass, Turnham, Wyatt,

Venable, Ray, Smith (J), Armstrong, Morris, Whatley, Crawford, Carter, Hall, Starkey, Hill, Edwards and Younce:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

State Administration.

By Messrs. Owens, Manley, Quarles, Pegues, McCorquodale, Robertson, Mitchem, Plaster, Gafford, McCulley, Merrill, McMillan, Kinsey, Carothers, Crowe, Kelley, Smith (M), Shoemaker, Jackson (F), Harris, Dial, Barron, Campbell, Baker, Drake, Shelton, Sparks, Cross, Clark, Moore (O), Roberts, Martin, Falkenburg, Moore (W), McCluskey, Williams, Warren, Cates, Weeks, Smith (B), Riddick, McNees, Jolly, Johnson, Glass, Turnham, Wyatt, Venable, Ray, Smith (J), Armstrong, Whatley, Crawford, Carter, Hall, Starkey, Hill, Edwards and Younce:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

State Administration.

By Messrs. Gregg and Moore (W):

H. 176. Proposing an amendment to the Constitution of Alabama providing for the number of days in a regular session and providing that the general fund and special educational trust fund budgets shall be enacted into law within the first thirty calendar days of such session.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Gregg:

H. 177. Proposing an amendment to the Constitution of Alabama, amending Amendment No. 339, ratified on July 18, 1975, so as to provide further for the order of business and length of those regular sessions of the legislature held during certain election years.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gregg and Moore (W):

H. 178. Proposing an amendment to the Constitution of Alabama providing that the Governor may only call a special session of the Legislature upon a declaration of a state emergency affecting the lives, liberty or property of the citizens of this state.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

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By Messrs. Holmes (A), Reed, McCorquodale, Morris, Drake, Sparks, Shelton, Manley, Lockett, Robertson, Langford, Sonnier, Crowe, Kennedy, Buskey, Cooper, Warren, Carothers, Plaster, Smith (C), Gafford, Smith (B), Merrill, Dial, Mitchem, Thomas, McCulley, Falkenburg, Smith (M), Glass, Lutz, Smith (J) and Edwards:

H. 179. To conditionally appropriate the sum of five million dollars from the General Fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Ways and Means.

By Mr. Hill:

H. 180. To amend Section 12-15-67, Code of Alabama 1975, expanding the use of statements made by children to include custodial interrogation.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Roberts:

H. J. R. 20. PROVIDING THAT THE LEGISLATURE WILL SERVE WITHOUT RECEIVING CERTAIN COMPENSATION AND ALLOWANCES DURING THIS SPECIAL SESSION OF THE LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That each member of the Legislature shall receive only the mileage reimbursement provided by law and the expense allowance (\$300.00 per month) provided by Act No. 5, S. J. R. 4, 1967 Organizational Session (Acts of Alabama 1967, p. 33), and no other allowance or compensation otherwise provided by law, during the present special session of the legislature which commenced July 31, 1978.

The resolution, H. J. R. 20, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Drake:

H. J. R. 21. CREATING A JOINT INTERIM COMMITTEE TO STUDY HOUSE AND SENATE RULES AND CERTAIN ASPECTS OF LOBBYING REGULATION IN ALABAMA AND OTHER STATES.

WHEREAS, there exists a great need to provide workable changes in the rules of the legislature so as to make that branch of government more efficient; and

WHEREAS, there also exists a great need to effectively regulate the contacts and dealings of lobbyists and special interest groups with members of the legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to be composed of four (4) members of the House and three (3) members of the Senate appointed by the presiding officer of each respective house. The committee shall elect from among its numbers a chairman and vice chairman at its first meeting. The committee shall study all aspects of the house and senate rules and the regula-

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tion of lobbyists and special interest groups in this state and others. The committee shall also study proposals and methods of changing house and senate rules and lobbying regulations so as to make the legislative branch of government more efficient, operational, and responsive.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The committee shall report its findings, conclusions and recommendations to the Legislature, Governor, Lieutenant Governor, and Speaker of the House, not later than the tenth legislative day of the 1979 Organizational Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, upon warrants drawn on the state comptroller upon requisitions signed by the committee's chairman, provided, however, that members shall not receive additional legislative compensation or per diem when the legislature is in session.

The resolution, H. J. R. 21, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Smith (J):

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

WHEREAS, commemorative stamps issued by the United States Postal Service provide an effective means of paying high tribute to that which is truly deserving of appreciation and of praise; and

WHEREAS, the racing pigeon, a domestic breed of the species *Columba livia*, with its innate instinct capable of refinement through training, has indeed earned a place of honor in our nation's history by serving a unique and useful service to mankind; and

WHEREAS, specially bred and trained to return swiftly to its home, the pigeon was used in ancient Greece to carry news of the Olympian games; pigeons have also been used during interruption of telegraph service, to carry messages across battlefields during time of war, and today, as through the years, devotees patiently train their pigeons for competitive racing over long distances; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most respectfully urge Postmaster General William Bolger to recommend to the Citizens Stamp Advisory Committee that a commemorative stamp honoring the racing pigeon be issued by the United States Postal Service that this noble bird might be recognized for its unique service to our nation.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Postmaster General Bolger and to the Citizens Stamp Advisory Committee as well as to all members of the Alabama Congressional Delegation in Washington, D. C.

On motion of Mr. Smith (J), the rules were suspended and the resolution, H. J. R. 22, was adopted.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 1. RELATING TO THE PRINTING OF ACTS

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the printed Acts of the Second Special Session of the Legislature of 1978 be bound respectively with the printed Acts of the First Special Session and the Regular Session of 1978.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Naramore, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 1, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Fine:

S. J. R. 2. COMMITTEE APPOINTED TO NOTIFY GOVERNOR OF JOINT SESSION.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of three members of the Senate, to be named by the President and Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

BE IT FURTHER RESOLVED That a Joint Session of the Legislature be held at 6:30 P.M. for the purpose of hearing the message of the Honorable George C. Wallace, Governor of Alabama.

BE IT FURTHER RESOLVED That the above-named Committee be also appointed to wait upon the Governor and advise him that the two Houses will meet in Joint Session at the hour named above for the purpose of receiving his message, and that said Committee also serve as a Committee to escort the Governor to the Hall of the House of Representatives for the Joint Session.

The President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Peden, St. John, Higginbotham, and Goodwin.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crowe, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 2, set out in the above and foregoing Message from the Senate.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE LEGISLATURE IS NOW IN SESSION.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Goodwin and Peden.

MCDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Owen:

S. J. R. 4. WHEREAS the Alabama Legislature has been summoned into Special Session by Governor George Wallace for the purpose of considering a series of important bills relating to education, taxation, and other matters which are critical to the performance of state government; and

WHEREAS a majority of the bills contained in the Governor's call were within the responsibility of the 1978 Regular Session earlier this year and their failure to pass constitutes the need for the present Special Session; and

WHEREAS each Senator and Representative owes to his or her constituents to fairly consider and vote on every bill in the Governor's call in this Special Session and to do so as efficiently and economically as possible;

NOW THEREFORE BE IT RESOLVED by the Alabama Legislature both Houses thereof concurring that the members and officers of Alabama House and Senate agree to accept no per diem compensation or expense monies of any form for the duration of this Special Session and further agree to completing the work of the Session as quickly and expeditiously as possible.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 4, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. APPOINTING A COMMITTEE TO ESCORT THE GOVERNOR TO THE JOINT SESSION OF THE LEGISLATURE.

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And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. St. John and Higginbotham.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Merrill, the House recessed until 6:15 o'clock p.m.

HOUSE RECONVENED

The hour of 6:15 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

JOINT SESSION

The hour of 6:30 o'clock p.m. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 3, heretofore adopted, for the purpose of hearing an address by the Honorable George C. Wallace, Governor of the State of Alabama.

The Joint Session was called to order by the Honorable Jere Beasley, Lieutenant Governor and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

His Excellency, George C. Wallace, Governor of the State of Alabama, appeared before the Joint Session and delivered his address to the members of the Alabama Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Howard:

H. R. 23. TO MAKE THE EDUCATION APPROPRIATION BILL THE FIRST ORDER OF BUSINESS IN THE HOUSE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, That the bill making an appropriation for public education for the coming fiscal year out of the special educational trust fund shall be the first and continuing order of business of the House and it shall take up no other bills or resolutions until it has completed action on said education appropriation bill.

The resolution, H. R. 23, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Waggoner:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTHEASTERN CONFERENCE ASSOCIATE COMMISSIONER EMERITUS, DESIGNATE.

WHEREAS, the Legislature of Alabama notes with pleasure the announced designation of Mr. J. C. "Cliff" Harper as Southeastern Conference Associate Commissioner, Emeritus, effective August 25, 1978; and

WHEREAS, Cliff Harper, a native of Pine Apple, Alabama, was awarded a B.A. Degree from Birmingham-Southern College and a Master's Degree from Auburn University with membership in both Kappa Phi Kappa, a professional education fraternity, and in Omicron Delta Kappa, honorary leadership fraternity; and

WHEREAS, for four years, during World War II, he served his country in the United States Air Force, volunteering as a private and being discharged as a Captain in the Reserves; he then served as teacher, coach and principal for ten years in Alabama high schools, prior to his association with the Alabama High Schools Athletic Association as Executive Secretary, a position he held for some 18 years; and

WHEREAS, Mr. Harper was elevated to Assistant Commissioner, Southeastern Conference, in 1966, and was made Associate Commissioner, his present position, in 1973, serving as Supervisor of Officials for both football and basketball, as well as being actively involved in all phases of administrative duties; and

WHEREAS, Commissioner Harper developed the books, "Basketball Rules Illustrated" and "Football Rules Illustrated," which he edits annually as publications of the Collegiate Commissioners Association for nationwide distribution to both colleges and high schools; he also is nationally recognized for his work with the National Federation of State High School Athletic Associations, explaining simplified rules of basketball and football through visual aids; and

WHEREAS, a former member of the NCAA Track and Field Rules Committee, he has served as an official at NCAA championship meets and was the originator of the Coliseum Relays in Montgomery which became the SEC Indoor Track Meet as well; and

WHEREAS, as player, official, teacher and administrator, Cliff Harper has compiled an enviable record of 50 years of service to his state and nation in the field of organized athletics; he has been honored on many occasions and has been the recipient of numerous awards in recognition of his outstanding accomplishments through the years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. J. C. "Cliff" Harper on his prestigious career and offer heartiest congratulations on his appointment as SEC Associate Commissioner, Emeritus.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Harper so that he and his wife, Mrs. Julia Stuart Harper, might know of our congratulations, warm best wishes and high esteem.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. J. R. 24, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTHEASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

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WHEREAS, it is with great pride and pleasure that the Legislature of Alabama notes that this year's Southeastern Conference all sports award has been claimed by our own Auburn University; and

WHEREAS, the prestigious Bernie Moore Memorial All Sports Trophy is awarded each year to the institution earning the best overall record in eight varsity sports in the SEC; and

WHEREAS, with a total of 59½ points accumulated in football, basketball, baseball, track, wrestling, golf, tennis and swimming, Auburn claimed the first place conference finish over their nine powerhouse rivals, an honor to be shared as a collective victory by eight fine Tiger teams; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we salute number one Auburn University, SEC recipient of the Bernie Moore Memorial All Sports Trophy.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Athletic Director Lee Hayley on behalf of all of the University's athletes whose splendid performances as individuals must be recognized as collectively causative of the prestigious all sports conference championship captured by Auburn University.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. J. R. 25, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 26. CONGRATULATING MISS BONNIE PLYLER ON BEING NAMED "WOMAN OF ACHIEVEMENT."

WHEREAS, Miss Bonnie Plyler of Parrish, Walker County, Alabama, has been named the 1977-78 Woman of Achievement by the Jasper Business and Professional Women's Club; and

WHEREAS, Miss Plyler, who was so honored at the BPW Club's recent annual awards dinner, was selected for this outstanding honor on the basis of her civic services; and

WHEREAS, she is a past president of the Business and Professional Women's Club and is serving currently as secretary of the American Association of University Women, who nominated her for the award, and of Delta Kappa Gamma; and

WHEREAS, in addition to having been named as one of the Outstanding Young Women of America, Miss Plyler is, further, an active and contributing member of the Sixth Avenue Church of Christ; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we most heartily congratulate Miss Bonnie Plyler on being named 1977-78 Woman of Achievement; we further commend her most highly for devoted and outstanding service to her church and community, and direct that she and her mother, Mrs. Lorene Plyler, receive copies of this resolution as evidence of our admiration and praise.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 26, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 27. CONGRATULATING MR. AND MRS. ROBERT MORROW ON THEIR GOLDEN WEDDING ANNIVERSARY.

WHEREAS, the Legislature of Alabama has noted, with pleasure, the 50th Wedding Anniversary on October 2, 1977, of Mr. and Mrs. Robert Morrow of Cordova, Alabama; and

WHEREAS, these two were legally joined in holy matrimony on October 2, 1927, and have remained in said holy state for one-half century; and

WHEREAS, they have lived their lives as one, devoted to one another, remaining steadfastly faithful to their marriage vows and setting an enviable example for others to follow; and

WHEREAS, Mr. and Mrs. Morrow are the parents of five children who hosted a reception in their honor on this memorable occasion; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we join with their family and friends in congratulating this exemplary couple of Walker County, Alabama, and wish them many more happy years together.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. and Mrs. Robert Morrow that they may know of our congratulations and warm wishes.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 27, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 28. CONGRATULATING MR. AND MRS. ARTHUR DUNCAN ON THEIR SILVER WEDDING ANNIVERSARY.

WHEREAS, the Legislature of Alabama has noted, with pleasure, the 25th Wedding Anniversary on October 16, 1977, of Mr. and Mrs. Arthur Duncan of Nauvoo, Alabama; and

WHEREAS, these two were legally joined in holy matrimony on October 16, 1952, and have remained in said holy state for twenty-five years; and

WHEREAS, they have lived their lives as one, devoted to one another, remaining steadfastly faithful to their marriage vows and setting an enviable example for others to follow; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we join with their family and friends in congratulating this exemplary couple of Walker County, Alabama, and wish them many more happy years together.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. and Mrs. Arthur Duncan that they may know of our congratulations and warm wishes.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 28, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 29. CONGRATULATING MR. AND MRS. EARL RICHARDSON ON THEIR GOLDEN WEDDING ANNIVERSARY.

WHEREAS, the Legislature of Alabama has noted, with pleasure, the 50th Wedding Anniversary on October 16, 1977, of Mr. and Mrs. Earl Richardson of Cordova, Alabama; and

WHEREAS, these two were legally joined in holy matrimony on October 16, 1927, and have remained in said holy state for one-half century; and

WHEREAS, they have lived their lives as one, devoted to one another, remaining steadfastly faithful to their marriage vows and setting an enviable example for others to follow; and

WHEREAS, Mr. and Mrs. Richardson were honored on this memorable occasion with a tea hosted by their three children, seven grandchildren and one great grandchild; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we join with their family and friends in congratulating this exemplary couple of Walker County, Alabama, and wish them many more happy years together.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. and Mrs. Earl Richardson that they may know of our congratulations and warm wishes.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 29, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 30. MOURNING THE DEATH OF MRS. WILLIE BOWENS.

WHEREAS, the Legislature of Alabama has been deeply saddened by the death of Mrs. Willie Bowens at her home in Carbon Hill, Walker County, Alabama, on February 14, 1978 at the age of 78; and

WHEREAS, Mrs. Bowens, who was retired at the time of her death, had for many years owned and operated a small cafe in Carbon Hill and was known affectionately to all as "Mama Bowens"; and

WHEREAS, she was a warm and loving lady who served as an example to be emulated by the many young people of her community whom she "helped raise" as much as did their parents; and

WHEREAS, "Mama Bowens" is survived by her own family of three generations and is grievously mourned by them all, and by the countless others who were privileged to know her as the great and lovely lady that she was; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we are deeply saddened by the death of Mrs. Willie Bowens of Carbon Hill; we extend our most heartfelt sympathy to her family and direct

that a copy of this resolution be presented to them that they may know of our shared sorrow in their great loss.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 30, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 31. NOTING THE OCCASION OF MRS. LENORA S. JOHNSON'S 94TH BIRTHDAY.

WHEREAS, the Legislature of Alabama has noted that Mrs. Lenora S. Johnson of Walker County, Alabama, recently celebrated her 94th birthday; and

WHEREAS, Mrs. Johnson was born May 8, 1884, in Fayette County, Alabama, near the Walker County line; and

WHEREAS, this momentous occasion was marked with a celebration held at the home of her granddaughter, Mrs. Martha Nell Johnson; congratulations and warm wishes, which were numerous, included a greeting from President Jimmy Carter; and

WHEREAS, Mrs. Lenora Johnson is a warm, wonderful and gracious Christian lady whom we wish many more years of health and happiness; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we most heartily congratulate Mrs. Lenora S. Johnson of Walker County, Alabama, 94 years young, and direct that she receive a copy of this resolution that she may know of our warm best wishes and deep esteem.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 31, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 32. CONGRATULATING MISS PATTY LAY ON RECENT HONORS RECEIVED.

WHEREAS, the Legislature of Alabama notes with great pride and pleasure that Miss Patty Lay of Jasper, Walker County, Alabama, was recently awarded first place honors for medical terminology spelling, which contest was held in Oklahoma City, Oklahoma, at the national convention of the Health Occupation Students of America; and

WHEREAS, Miss Lay, who is the daughter of Mr. and Mrs. Floyd Lay of Jasper, is a student in health occupations at the Walker Area Vocational Center; and

WHEREAS, this outstanding young student is to be commended indeed for such a noteworthy accomplishment; as our nation's first place winner of this prestigious contest, she is a credit not only to her school but to the entire State of Alabama as well; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we most heartily congratulate Miss Patty Lay of Jasper, Alabama, who was awarded first place in the nation for medical terminology spelling.

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BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Lay as but a token of our appreciation and esteem.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 32, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 33. NOTING THE OCCASION OF MRS. RENA BOYD'S 99TH BIRTHDAY.

WHEREAS, the Legislature of Alabama has noted that Mrs. Rena Boyd of Cordova, Walker County, Alabama, recently celebrated her 99th birthday; and

WHEREAS, Mrs. Boyd, born April 25, 1879, is a native of Pickens County, Alabama; and

WHEREAS, among those attending the celebration marking this momentous occasion were Mrs. Boyd's children, Joe Harris, Catherine Smith, Wilford Boyd and Clemmie Cooper, all of Cordova, and Frankie Gregory of Cleveland, Ohio; and

WHEREAS, Mrs. Boyd is a warm, wonderful and gracious Christian lady whom we wish many more years of health and happiness; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we most heartily congratulate Mrs. Rena Boyd of Cordova, Alabama, 99 years young, and direct that she receive a copy of this resolution that she may know of our warm best wishes and deep esteem.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 33, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 34. CONGRATULATING MR. AND MRS. W. F. BRUTON ON THEIR GOLDEN WEDDING ANNIVERSARY.

WHEREAS, the Legislature of Alabama has noted, with pleasure, the 50th Wedding Anniversary on April 16, 1978, of Mr. and Mrs. W. F. Bruton of Haleyville, Alabama; and

WHEREAS, these two were legally joined in holy matrimony on April 16, 1928, in Burnsville, Mississippi, and have remained in said holy state for one-half century; and

WHEREAS, they have lived their lives as one, devoted to one another, remaining steadfastly faithful to their marriage vows and setting an enviable example for others to follow; and

WHEREAS, Mr. and Mrs. Bruton are the parents of three children; they have seven fine grandchildren and two wonderful great-grandchildren; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we join with their family and friends in congratulating this exemplary

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couple of Winston County, Alabama, and wish them many more happy years together.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. and Mrs. W. F. Bruton that they may know of our congratulations and warm wishes.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 34, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 35. MOURNING THE DEATH OF MR. JAMES SPENCER BLACK.

WHEREAS, the Legislature of Alabama has been grievously saddened by the death of Mr. James Spencer Black of Cordova, Walker County, Alabama, on May 13, 1978, at the age of 82; and

WHEREAS, Mr. Black, who was a retired Cordova merchant and vice-president of the Cordova Citizens Bank, served for 24 years on the Walker County Board of Education and was a former Cordova City Councilman; and

WHEREAS, he was an active and participating member of Long Memorial Methodist Church, held a lifetime membership in the Cordova Masonic Lodge and also was a member of the Knights of the Pythias and the Lions Club; and

WHEREAS, James Spencer Black was a United States Army veteran who was wounded in action while serving in combat in France during World War I; and

WHEREAS, he was a highly respected and beloved member of his community who, during his lifetime, gave generously of his time and concern in unselfish service to others, and he will be long remembered and deeply missed by his family and many friends; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we deeply mourn the death of James Spencer Black of Cordova, Alabama; we further extend our most heartfelt sympathy to his wife, Mrs. Ruth Sides Black, to his daughter, Mrs. Rex Brown, his son, Jack, and other family members to whom copies of this resolution shall be sent.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 35, on the Clerk's desk for one legislative day.

Also:

By Mr. Crowe:

H. R. 36. CONGRATULATING MR. AND MRS. CULLEN SMITH ON THEIR GOLDEN WEDDING ANNIVERSARY.

WHEREAS, the Legislature of Alabama has noted, with pleasure, the 50th Wedding Anniversary on May 12, 1978, of Mr. and Mrs. Cullen Smith of Carbon Hill, Alabama; and

WHEREAS, these two were legally joined in holy matrimony on May 12, 1928 and have remained in said holy state for one-half century; and

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WHEREAS, they have lived their lives as one, devoted to one another, remaining steadfastly faithful to their marriage vows and setting an enviable example for others to follow; and

WHEREAS, Mr. and Mrs. Smith are the parents of three lovely daughters; they have nine fine grandchildren and four wonderful great-grandchildren; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we join with their family and friends in congratulating this exemplary couple of Walker County, Alabama, and wish them many more happy years together.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. and Mrs. Cullen Smith that they may know of our congratulations and warm wishes.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 36, on the Clerk's desk for one legislative day.

Also:

By Messrs. McCorquodale and Manley:

H. R. 37. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO H. B. 170, OF THE SECOND EXTRAORDINARY SESSION OF THE 1978 ALABAMA LEGISLATURE.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending H. B. 170, which would amend the Constitution of the State of Alabama and presented to the Legislature in the Second Extraordinary Session of the Alabama Legislature, copies of which are attached to this Resolution and made a part hereof by reference:

1. In order for the Constitutional Amendment to be presented to the voters for approval or rejection in the General Election to be held November 7, 1978, what is the latest date that the Session can end in order for the Amendment to be properly presented to the people in the General Election of November 7, 1978 for approval.

2. Is it constitutionally legal for the Legislature to set a date for the Amendment to be presented to the voters for approval or rejection in the General Election if the Legislature has a final adjournment of the Session less than three months prior to the time the Amendment is presented to the people for approval or rejection in the General Election to be held November 7, 1978 in the event that date is the day appointed by the Legislature.

3. If the Legislature adjourns Sine Die on August 5, 1978, is there enough time remaining to present the Amendment to the people for approval or rejection at the General Election of November 7, 1978?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send five true copies of the pending H. B. 170, with attachments, to the Clerk of the Supreme Court of Alabama and to transmit

this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 37, was adopted.

Also:

By Mr. Holmes (A):

H. J. R. 38. REQUIRING THAT WHEN THE ALABAMA DEPARTMENT OF PUBLIC SAFETY HAS A POLICY TO PROVIDE STATE TROOPER PROTECTION FOR ANY MEMBER OF THE LEGISLATURE, OR FOR ANY ELECTED PUBLIC OFFICIAL OF THE STATE OF ALABAMA, WHOSE LIFE HAS BEEN THREATENED OR WHERE EVIDENCE EXISTS OF AN ASSASSINATION CONSPIRACY AGAINST SAID LEGISLATOR OR OFFICIAL, SUCH PROTECTION SHALL BE PROVIDED TO ALL SUCH OFFICIALS EQUALLY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That when the Alabama Department of Public Safety has a policy to provide state trooper protection for any member of the Legislature, or any other elected public official of the State of Alabama, whose life has been threatened or where evidence exists of an assassination conspiracy against said Legislator or other elected state official, such protection shall be provided to all such officials equally.

BE IT FURTHER RESOLVED, That any employee of the Department of Public Safety who knows of any assassination plot against any elected public official of the State of Alabama and does not inform said official of such plot is hereby condemned as cowardly by this body and a disgrace to the uniform he wears.

RESOLVED FURTHER, That a copy of this resolution be delivered forthwith to the Director of the Alabama Department of Public Safety that he may immediately implement the requirements of this directive.

MOTION TO SUSPEND RULES AND ADOPT LOST

The motion offered by Mr. Holmes (A) to suspend the rules and adopt the resolution, H. J. R. 38, was lost.

The resolution, H. J. R. 38, was read and referred to the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Manley and pursuant to the resolution, H. R. 4, heretofore adopted, the House adjourned until 5:00 o'clock p.m., Tuesday, August 1, 1978.

SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 1, 1978

The House met pursuant to adjournment

PRAYER

The session was opened with prayer by the Reverend Chester H. Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

2nd Day

ROLL CALL

On a call of roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Tucker, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee in Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Manley:

H. R. 39. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA That when we adjourn today, Tuesday, August 1, 1978, we adjourn to meet again on Wednesday, August 2, 1978, at 9 o'clock A.M.; and

When the hour of 12 o'clock noon on Wednesday, August 2, 1978, arrives, we will stand in recess for lunch for one and one-half hours until 1:30 P.M.; and

BE IT FURTHER RESOLVED That when the hour of 6 o'clock P.M. on Wednesday, August 2, 1978, arrives, we will stand in recess until 7:30 o'clock P.M.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 39, was adopted.

Yeas 68; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Biddle, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Dial, Falkenburg,

Gafford, Glass, Gregg, Hall, Hill, Hopping, Jackson (F), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Riddick, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—68

Nays: Messrs.: Holmes (A) and Plaster.

—2

Also:

By Messrs. Greer, Quarles, Hill, Starkey, Moore (W) and Smith (B):

H. R. 40. PROCEDURE FOR HOUSE DEBATE AND THE PRIORITY OF BUSINESS FOR THE SECOND SPECIAL SESSION, 1978.

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That during the 1978 Second Special Session the prior order of business, indicated by description and subject matter, shall be for each and every legislative day, until such business is completed, as follows:

- (1) The special educational trust fund budget bill;
- (2) The distribution of funds received by state and local governments from TVA;
- (3) The property tax relief bills, including the proposed constitutional amendment and implementation bills;
- (4) The bills exempting certain household goods and business inventory and farm and agricultural from ad valorem taxation;
- (5) Authorization for Alabama Public School and College Authority to issue additional limited obligation revenue bonds;
- (6) Tuition grants for students attending certain institutions of higher education within the State;
- (7) Conditional appropriation to the Department of Pensions and Security;
- (8) Constitutional amendment authorizing the State to issue its general obligation bonds for the purpose of acquiring, improving prisons and other penal and correctional facilities for use by the State; and
- (9) Bills implementing proposed constitutional amendment in item (8) herein.

RESOLVED FURTHER, That all bills in this session shall be considered and voted upon, including any and all substitutes and amendments thereto, with no more than three (3) hours debate thereon per bill; and

BE IT FURTHER RESOLVED, That this resolution shall take effect immediately upon its adoption and shall be in full force and effect for the present special session only.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Greer offered the motion to suspend the rules and adopt the resolution, H. R. 40.

DIVISION OF THE QUESTION

Mr. Campbell called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Greer to suspend the rules in order to take up for immediate consideration the resolution, H. R. 40, and the motion was lost.

Yeas 26; Nays 49.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Carter, Coburn, Drake, Falkenburg, Greer, Gregg, Hall, Hill, Hopping, Kelley, Kennedy, Killian, Leonard, Lutz, Mitchem, Moore (W), Riddick, Roberts, Smith (B), Sonnier, Sparks, Starkey and Trammell.

—26

Nays:

Mr. Speaker, Barron, Campbell, Carothers, Cates, Clark, Cooper, Crawford, Crowe, Dial, Edwards, Gafford, Harris, Holmes (A), Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kinsey, Langford, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Naramore, Owens, Pegues, Quarles, Robertson, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Towns, Turnham, Warren, Weeks, Whately, White, Williams, Wyatt and Younce.

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The resolution, H. R. 40, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Greer:

H. R. 41. PROCEDURE FOR HOUSE DEBATE FOR THE SECOND SPECIAL SESSION, 1978.

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That during the 1978 Second Special Session, all bills shall be considered and voted upon, including any and all substitutes and amendments thereto, with no more than three (3) hours debate thereon per bill; and

BE IT FURTHER RESOLVED, That this resolution shall take effect immediately upon its adoption and shall be in full force and effect for the present special session only.

MOTION TO SUSPEND RULES AND ADOPT

Mr. Greer offered the motion to suspend the rules and adopt the resolution, H. R. 41.

DIVISION OF THE QUESTION

Mr. Cates called for the Division of the Question, and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Greer to suspend the rules in order to take up for immediate consideration the resolution, H. R. 41, and the motion was lost.

Yeas 25; Nays 53.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Carter, Coburn, Drake, Gregg, Hall, Hill, Kelley, Kennedy, Killian, Lutz, Martin, Mitchem, Moore (W), Quarles, Riddick, Roberts, Smith (B), Sonnier, Sparks, Starkey, Towns and Trammell.

—25

Nays:

Mr. Speaker, Barron, Boles, Campbell, Carothers, Cates, Clark, Cooper, Crawford, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Harris, Hilliard, Holmes (A), Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kinsey, Langford, Lockett, McCluskey, McCulley, McMillan, Manley, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Robertson, Shoemaker, Smith (C), Smith (J), Smith (M), Thomas, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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The resolution, H. R. 41, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Sandusky, Callahan, Younce and Cooper:

H. J. R. 42. Resolution mourning the death of Alfred F. Delchamps.

WHEREAS, the recent death of Alfred F. Delchamps deprives the state of Alabama of a man who devoted himself to educational, civic, religious and charitable activities; and

WHEREAS, Alfred F. Delchamps was a co-founder of Delchamps Food Stores in 1921, a firm that has grown to number 47 stores in four states; and

WHEREAS, Mr. Delchamps did serve his community ably and well, as president of the Mobile County Board of Education and as President of the Mobile Chamber of Commerce, among many other notable community activities; and

WHEREAS, Mr. Delchamps was an active member of the Dauphin Way United Methodist Church of Mobile, serving as a Trustee and as Chairman of the Board of Stewards; and

WHEREAS, Mr. Delchamps did serve education in his state as Chairman of the Board of Trustees of Huntingdon College, as a member of the Mobile County Board of Higher Education, and as a member of the Governor's Committee that recommended locating the University of Alabama's College of Medicine in Birmingham; and

WHEREAS, in recognition of his service to his community, Mr. Delchamps was named Mobilian of the Year and just this past June was inducted into the Alabama Academy of Honor,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE IF ALABAMA, BOTH HOUSES CONCURRING, that the Legislature acknowledge their deep sorrow and mourn the death of Alfred F. Delchamps.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to the Mobile Area Chamber of Commerce.

On motion of Mr. Sandusky, the rules were suspended and the resolution, H. J. R. 42, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 2. Relative to appointing a committee to notify the Governor that the Legislature is now in session.

Also:

H. J. R. 3. Relative to a Joint Session of the House and Senate at 6:30 P.M. on July 31, 1978, for the purpose of hearing address of the Governor and appointing a committee to wait upon the Governor and escort him to the House.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with Amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 170. (With Amendments): To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

The above bill was read a second time at length as required by the Constitution.

H. 171. (With Amendments): To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value of such taxable property that are applicable to such classes of taxable property, except as

otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 172. (With Amendment): To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to

exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 47. (With Amendment): To authorize Alabama Public School and College Authority to sell and issue two hundred and nineteen million dollars (\$219,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar:

H. 37. (With Substitute): To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

The above bill was read a second time at length as required by the Constitution.

H. 33. To establish a student assistance program in the State of Alabama to be known as the Alabama Guaranteed Student Loan Program, which will guarantee loans made by approved lenders to residents of Alabama who are attending or plan to attend qualified institutions in the State or elsewhere, for the purpose of assisting them in meeting educational expenses; to set forth legislative findings and purposes underlying the Program; to designate the Alabama Commission on Higher Education to administer the program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to provide for periodic auditing of approved institutions; to provide a penalty for false statements of misrepresentation in connection with the Program; to establish continuance of the Program; to designate the Attorney General as legal counsel for the Program; to make an appropriation establishing the Program from the Special Educational Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

H. 179. To conditionally appropriate the sum of five million dollars from the General Fund of the State Treasury to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 65. (With Amendment): To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 166. (With Substitute): To amend Section 4 of Act No. 594, H. 308, 1978 Regular Session, entitled, "An Act To provide for the qualifications and selection of jurors; to provide for a master list, master jury box and trial court box; to provide for qualification forms and the questionnaires to be used thereon; and to repeal Sections 12-16-2, 12-16-4, 12-16-37, 12-16-39, 12-16-41, 12-16-42, and 12-16-43 of the Code of Alabama 1975," so as to provide further for the exact date for emptying and refilling the master jury boxes.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 120. To provide for county law libraries in each county, and for the personnel, space, funding, operation, and maintenance thereof, making said law libraries part of a loose network with the other law libraries in the state for their mutual benefit; permitting present county law libraries to come under the provisions of this act if they elect to do so.

H. 169. Proposing an amendment to the state constitution relative to carrying forward the general appropriation bill and the Special Educational Trust Fund appropriation bill for an additional year in the event the legislature fails to pass either of such bills before the beginning of the new fiscal year.

The above bill was read a second time at length as required by the Constitution.

H. 168. To amend Section 1-1-10 of the Code of Alabama 1975, relating to the repeal of certain uncodified statutes, so as to carry forward the application of certain provisions saving from repeal certain uncodified statutes to any future codification of statutes; and to provide for retroactive effect.

H. 71. To amend Section 34-3-17 and Section 34-3-18, Code of Alabama 1975, such sections authorizing certain qualified lawyers to become members of the Alabama bar association, so as to regulate further the annual dues to be paid by such members.

H. 72. To amend Section 34-3-3, Code of Alabama 1975, relating to the fees to be paid by certain applicants for admission to the bar so as to increase such fees.

H. 73. To amend Section 40-12-49, Code of Alabama 1975, relating to the annual license tax of attorneys so as to regulate further the payment of such license tax by certain attorneys.

H. 149. Relating to divorce and alimony; to provide that the judge trying a divorce case shall have the right to award alimony to either spouse as the circumstances of the case may justify and to repeal all conflicting statutes.

H. 4. To amend Sections 13-1-41 and 13-1-42 of the Code of Alabama 1975, relating to assault upon and assault with a deadly weapon upon peace officers, so as to provide further when such officers are deemed to be engaged in the active discharge of their duty or duties.

H. 145. To amend Section 28-3-135 of the Code of Alabama 1975 relating to the issuance of liquor license and the rights conferred by such licenses so as to further regulate the issuance and revocation of such licenses.

H. 180. To amend Section 12-15-67, Code of Alabama 1975, expanding the use of statements made by children to include custodial interrogation.

H. 94. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and facilities when such businesses come within the same circumstances.

H. 148. To provide the manner corporations not of a business nature may amend or alter their charters.

H. 27. To amend Section 43-3-1 of the Code of Alabama 1975, which provides for the descent and distribution of real estate of an intestate, so as to change the order of succession.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

H. 75. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

H. 126. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of regular sessions of the legislature held during even numbered years and to provide that pending budget matters be acted upon before any other legislation during such sessions.

The above bill was read a second time at length as required by the Constitution.

H. 11. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

H. 159. To provide for privileged communications with clergymen.

H. 15. To be known as the "Historical Preservation Authorities Act of 1978"; to authorize the incorporation in this state of public corpo-

rations for the purpose of undertaking and making or causing to be made engineering, architectural, technical, financial, legal and other appropriate studies and surveys with respect to restoring, renovating, preserving, improving, protecting or maintaining any public or private property within the state that has been listed in the National Register of Historic Places, restoring, constructing, acquiring, owning, operating, leasing, selling and otherwise disposing of such property, and cooperating with and lending financial assistance and other aid to municipalities, communities, counties, individuals, associations, partnerships, and public and private corporations in any matters and undertakings having to do with or the end purpose of which is to restore, renovate, preserve, improve, protect or maintain such property; to provide the method of incorporating such corporations, the management thereof, and the election of directors thereof; to specify the powers and duties of such corporations; to authorize such corporations to issue bonds payable solely from the revenues of such corporations derived from the operation or leasing of such property and to secure such bonds by pledges of such revenues and by mortgages on such property; to provide that no bond or obligation created or assumed by such corporations shall create an obligation or debt of any county or municipality or of the state; to authorize the refunding of any such bonds; to provide that all such bonds shall be negotiable instruments; to authorize such corporations to enter into contracts to secure payment of such bonds; to authorize such corporations to create a statutory mortgage lien on property of such corporation in favor of the holders of such bonds; to provide for the use of proceeds from the sale of bonds of such corporations; to authorize any county, municipality, or other political subdivision, public corporation, agency or instrumentality of this state to lend or donate money to or perform services for the benefit of such corporations, or to donate, sell, convey, transfer, lease or grant to such corporations, without the necessity of authorization at any election of qualified voters, any property of any kind, any interest therein and any franchise, and to do any and all things, whether or not specifically authorized in this act and not otherwise prohibited by law, that are necessary or convenient in connection with aiding and cooperating with such corporations in furtherance of their corporate purposes; to exempt from taxation such public corporations and their property and income, all bonds issued by such corporations, the income and interest from such bonds, conveyances by and to such corporations, and leases, mortgages and deeds of trust by and to such corporations; to provide for the filing of the certificates of incorporation or the recording of any document by such corporations without the payment of any fees, taxes or costs; to provide for reports by such corporations to the governor; to declare that this act shall be cumulative and not restrictive of powers otherwise provided by law; to provide for the severability of the provisions hereof; to provide the effective date hereof; to exempt any corporation organized hereunder from Sections 41-16-50 through 41-16-63 of the CODE OF ALABAMA 1975; and to provide for the dissolution of such corporations and the disposition of their property upon dissolution.

H. 128. To further amend Sections 34-7-1, 34-7-4, 34-7-5, 34-7-7, 34-7-11, 34-7-19, 34-7-24 and 34-7-40 of the Code of Alabama 1975, as amended, and specifically repeals Sections 34-7-22 and 34-7-23 of the Code of Alabama 1975, as amended, which sections relate to the practice of cosmetology, so as to further regulate the profession.

H. 29. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

The above bill was read a second time at length as required by the Constitution.

H. 46. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

H. 30. To amend Section 40-9-1 of the 1975 Code of Alabama, as amended, so as to exclude from ad valorem taxes certain improvements or additions to property for 10 years or until the property is sold.

H. 34. To amend Section 16-13-144 of the Code of Alabama, 1975, which section prohibits deficit spending by county and city boards of education, so as to provide that any school district which violates the section for one year shall be exempted from the penalty of reduction in the minimum program fund allotment for the succeeding year to which such board of education otherwise is entitled. The exemption shall be made only one time and shall be made in the year immediately succeeding the deficit spending.

H. 163. Relating to the office of the attorney general; authorizing and directing the attorney general to establish within that office a section charged with the investigation and prosecution of offenses against the aged; prescribing the duties of such section; providing for the personnel thereof; and repealing conflicting laws.

H. 67. To amend Section 40-7-60, Code of Alabama 1975, which relates to the statewide property reappraisal program, so as to place certain limits on the percentage of annual increase in ad valorem assessment valuation schedules for motor vehicle tags.

H. 66. To amend Section 36-26-24 of the Code of Alabama 1975 so as to provide further for transfers of classified state employees.

H. 31. To amend Sections 22-21-133 and 22-21-145 of the Code of Alabama 1975, as heretofore amended, relating to municipal hospital authorities, so as to correct certain typographical errors, to make more specific provision for certain specified publications and for the filing of amendments to the charters of municipal hospital authorities.

H. 48. To amend Section 41-8-1 through Section 41-8-7 of the Code of Alabama 1975 so as to change the name of the Alabama Public Library Service to the State Library of Alabama and to provide that the director shall be known as the state librarian.

H. 167. Relating to meetings of certain public bodies; to forbid closed, secret or executive meetings except in certain circumstances; to define "governing body" and "meeting"; to provide for adequate public notice of meetings; to ensure that proceedings of meetings are recorded and open to the public; to declare actions taken at such meetings void; to provide criminal penalties and a civil remedy for violations hereof; to repeal Code of Alabama 1975, Section 13-5-1 and other conflicting laws.

Mr. Falkenburg, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 5. To provide for the definition of death in cases where respiratory and cardiac functions are maintained by artificial means, to further provide that nothing in the Act shall be construed to prohibit a physician from using customary procedures for determining death in other cases,

and to make additional provisions pertaining to the determination of death in those cases in which some part of the body is to be donated for transplantation.

H. 100. To amend Section 20-2-54, of the Code of Alabama, 1975, so as to make the conviction of a crime under any State or Federal law relating to any controlled substance a ground for suspension or revocation of a registration and to allow the Certifying Boards to regulate the excessive prescribing of controlled substances.

H. 99. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

H. 101. To amend Section 34-26-22, Code of Alabama 1975, by changing the biennial registration fee for licensed psychologists to an annual registration fee of \$50.00; to amend Section 34-26-43, Code of Alabama 1975, by increasing the application fee for permanent licenses as psychologists to \$125.00; and to provide for an examination fee for candidates for licensure as psychologists not to exceed \$100.00.

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in and approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Mr. Kinsey, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 136. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

Mr. Carter, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills

and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 104. To amend Section 9-2-8, Code of Alabama 1975, which relates to the promulgation of rules and regulations by the commissioner of conservation and natural resources in regard to game and fish laws of this state, so as to provide for a procedure of legislative review and approval of all such rules and regulations, with certain exceptions.

H. 74. To amend Sections 9-11-250 through 9-11-252 of the 1975 Code of Alabama, relating to illegal deer hunting, so as to provide for the confiscation, forfeiture, and disposal of all equipment used in committing said offense.

Mr. Smith (J), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 176. Proposing an amendment to the Constitution of Alabama providing for the number of days in a regular session and providing that the general fund and special educational trust fund budgets shall be enacted into law within the first thirty calendar days of such session.

The above bill was read a second time at length as required by the Constitution.

H. 133. To propose an amendment to the Constitution of Alabama to prospectively eliminate the growth of various supernumerary and judicial retirements by providing that certain future elected and appointed public officers and employees of the state shall become members of the Employees' Retirement System of Alabama; and to provide that this amendment shall not apply to any such officer or employee who is employed or holding office on the date this amendment becomes effective.

The above bill was read a second time at length as required by the Constitution.

H. 142. To provide for the preparation of a synopsis of constitutional amendments to appear on the ballot.

Mr. Smith (B), Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 140. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

H. 26. Relating to Greene County, authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1. reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 58. (With Amendment): To change the compensation of the probate judge of Shelby County, Alabama.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

H. 84. Relating to Shelby County; amending Sections 5 and 10 of Act No. 62, H. 213 of the 1977 Regular Session, which act relates to districts for fighting or preventing fires, so as to further provide for elections concerning such districts and service charges and filling vacancies on the Board of Trustees.

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

H. 121. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

2nd Day

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts and for the levy and collection of fees for fire protection services.

The above bill was read a second time at length as required by the Constitution.

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit;

H. 152. (With Amendment): Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

H. 153 (With Amendment): To repeal Act No. 232, H. 693, approved September 11, 1975, Regular Session 1975 (Acts 1975, p. 759), entitled, "An Act Authorizing the county commission of Sumter County to pay the sheriff of Sumter County a monthly expense allowance of two hundred fifty dollars (\$250.00)."

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

Mr. McNair, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. To provide for appeals to the circuit court in Jefferson County from decisions of the Board of Equalization and to provide for the proceedings and procedure in the circuit court, on such appeals.

H. 8. To repeal Act No. 259, H. 530, approved June 24, 1943, Regular Session 1943 (General Acts of Alabama 1943, p. 230), as amended, entitled, "An Act To provide for appeals to the circuit court in counties

having a population of 400,000 or more according to the last or any subsequent Federal census, from decisions of the Board of Equalization in such counties; and to provide for the proceedings and procedure in the circuit court, on such appeals."

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

H. 93. Relating to Jefferson County; levying an additional 1% lodging tax to be used by the Greater Birmingham Convention and Visitors Bureau to be used for the promotion of Birmingham as a convention and visitors destination; providing that the Director of Revenue shall collect such tax.

Mr. Callahan, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

H. 21. To amend Section 5 of an act entitled "An Act to regulate the public schools of the County of Mobile," approved February 15, 1876, as last amended; so as to provide further for the filling of vacancies on the said Board of School Commissioners.

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

2nd Day

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

Mr. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 69. Relating to Montgomery County; to authorize any restaurant, hotel, dining room or other such place of business having a license to sell alcoholic beverages to dispense, sell, and allow the drinking of alcoholic beverages on New Year's Eve commencing at 6:00 p.m.

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

The above bill was read a second time at length as required by the Constitution.

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Mr. Venable, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 117. To further amend Section 11-41-1 of the Code of Alabama 1975, as amended, relating to the authority of certain unincorporated municipalities to incorporate, so as to reduce the required percentage of qualified electors necessary to sign the petition for calling an election, on certain islands, on the question.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

H. 118. To alter and rearrange the boundaries of the Town of Arifton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 98. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

H. 39. To require all of the right, title and interest of the State of Alabama in and to the real property acquired by and in the name of the State of Alabama for the use and benefit of the state educational institution formerly known as Jacksonville State College at Jacksonville, Alabama, is hereby conveyed to and vested in Jacksonville State University, the body corporate created by Act No. 239, Regular Session 1967, approved August 16, 1967.

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.,

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

The above bill was read a second time at length as required by the Constitution.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 111. (With Substitute): Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bonafide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to make an appropriation funding the program from the Special Education Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

H. 36. To amend the title and Sections 1 and 4 of Act 728, approved May 2, 1978, Regular Session Alabama Legislature 1978 so as to authorize a cost of living raise for Circuit Clerks.

H. 139. Appropriating \$4,976.80 from the state general fund for the relief of Thomas H. Frazier who incurred said amount of medical expenses as a result of certain injuries suffered by his minor son, Brian Craig Frazier.

H. 55. To exempt the Kidney Foundation of Alabama, Inc., from the payment of all state, county and municipal sales and use taxes.

H. 114. To regulate the practice of counselors in Alabama; to create a Board of Examiners in Counseling; to prescribe the duties and powers of said board; to provide for the examination and licensure of counselors and the examination and certification of counselor associates; to fix penalties for the violation of this act; to impose licensure and certification fees and to provide for the use of funds received.

H. 68. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

H. 143. To amend the title and sections 1, 4, and 5 of Act No. 824, S. 407, 1978 Regular Session, approved May 4, 1978, relating to genetics service in public health so as to provide further for appropriations to such service from the special educational trust fund.

H. 16. To amend Section 12-17-290 of the Code of Alabama 1975 relating to time qualifications for becoming a supernumerary reporter so as to provide the alternative of adding other tenure for qualifying as a supernumerary reporter.

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

H. 79. To exempt the South Alabama State Fair Association, a non-profit corporation, from the payment of all state, county, and municipal sales taxes levied upon admission tickets sold by the Association for its South Alabama State Fair.

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of said department for the purpose of Parks Fund.

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall

not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

H. 144. To regulate certain marine dealership practices in the State of Alabama.

H. 107. To amend Section 17-4-43, Code of Alabama 1975, which provides for the compensation of members of the various boards of registrars, so as to provide further for the compensation of such persons and to clarify some ambiguous language concerning the method of payment of such persons.

H. 134. To authorize Alabama Building Finance Authority to sell and issue not exceeding \$11,000,000 principal amount of bonds for the purpose of constructing public office building facilities and altering, constructing additions to, and improving and renovating certain existing public office building facilities, and removing existing structures, and for the procurement of sites and equipment for such facilities or additions thereto, and for the construction of parking facilities; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and the recording thereof and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create obligations or debts of the state; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction of public office building facilities, the alteration, construction of additions to, and improvement and renovation of certain existing public office building facilities and for the equipment of such facilities or additions thereto by the Authority; to authorize the removal of existing structures and the construction of parking facilities; to authorize the conveyance to the Authority of lands owned by the state; to authorize the purchase of certain real property for such purposes; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities (when and as such revenues become available to the Authority) which may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of the bonds and the creation of the pledge as a lien on the revenues, which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of

the United States, counties, municipal corporations, other public bodies, and private persons, firms, corporations or associations, of space for occupancy in said facilities or additions thereto; to amend Section 25 of Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama; to amend Section 18 of Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama; and to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

H. 2. To provide that all revenue raised by civic clubs and civic organizations for purposes of charity shall be exempt from sales and use taxes.

H. 38. To amend Section 2, Subsection III (a) (9) (c) of Act No. 597, H. 244 of the 1978 Regular Session, which act makes appropriations from various funds of the state for the ordinary expenses of the executive, legislative and judicial functions of government for the fiscal year ending September 30, 1979, so as to increase the A. B. C. Board appropriation in the Administrative Services Program by \$1,000,000.

H. 141. To exempt the Grand Chapter of the Order of the Eastern Star of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

H. 97. To amend further Section 16-31-4 Code of Alabama, 1975 as amended which provided for a supplemental appropriation of \$100.00 from the Special Educational Trust Fund for each American Legion and American Legion Auxiliary scholarship awarded pursuant to Chapter 31, Title 16, Code of Alabama 1975 so as to increase the amount of said supplemental appropriation to \$200.00 per scholarship.

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

H. 32. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.,

H. 157. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act To fix the compensation of certain State Officers."

H. 49. To provide a supplemental appropriation of \$729,800 from the special educational trust fund for capital outlay purposes for certain emergency renovation projects at J. F. Drake State Technical College and to regulate the use of such funds.

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

INTRODUCTION OB BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Callahan;

H. 181. A bill to be known as the "Deceptive Trades Practices and Consumer Protection Law;" defining certain words and phrases; creating

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an Office of Consumer Protection and delegating authority and prescribing responsibilities for that office; creating a Consumer Advisory Board; authorizing the Office of Consumer Protection and the Office of the Attorney General to receive federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for the jurisdiction of the Act; establishing a statute of limitations; and providing for appropriations to the Office of Consumer Protection.

Ways and Means.

By Mr. Smith (M):

H. 182. Relating to taxation; to amend Title 51, Section 2, Code of Alabama 1940, as heretofore amended, so as to exempt from ad valorem taxation all property owned by Loyal Order of Moose or lodge thereof, provided such property is used and occupied exclusively by such organization.

Ways and Means.

By Messrs. Smith (J), Carothers and McCulley:

H. 183. To direct the state department of education to establish the full state-wide kindergarten program by phasing in eight hundred units each year over the next three years; to make an appropriation for the special educational trust fund.

Ways and Means.

By Messrs. Clark, Armstrong, Gafford, Manley and Morris:

H. 184. To amend Section 17-4-25 of the Code of Alabama 1975 relating to the clerical assistants and help for the judge of probate for the preparation of the list of qualified electors which the judge of probate is required to furnish the election inspectors.

Judiciary.

By Messrs. Kennedy and Younce (With Notice and Proof):

H. 185. Relating to the City of Prichard in Mobile County; to prohibit any member of the city council from serving on the water and sewage board.

Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 185, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Messrs. Harris, Holmes (A) and Langford:

H. 186. Pertaining to the Fifteenth Judicial Circuit of Alabama; to amend Act No. 597 of the 1978 Regular Session so as to increase the amount of appropriations to the Fifteenth Judicial Circuit of Alabama.

Ways and Means.

By Mr. Armstrong:

H. 187. To allow Pamela C. Wallace to receive credit for past services to the city of Bessemer in its pension plan and for the city of Bessemer to pay to the Employee's Retirement System of Alabama any sums necessary to fund such prior service.

Ways and Means.

By Mr. Ray (With Notice and Proof):

H. 188. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 188, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Hill;

H. 189. To provide for the limitation on political expenditures.

Judiciary.

By Messrs. Martin, Roberts, Cross and Drake (With Notice and Proof):

H. 190. To extend, alter and rearrange the boundaries and corporate limits of the City of Decatur, a municipal corporation in the State of Alabama so as to include within the corporate limits of the City of Decatur certain adjacent territory.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 190, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Reed (With Notice and Proof):

H. 191. Relating to Macon County; to provide further for the compensation of the county superintendent of education, and prescribing certain duties for such superintendent.

Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 191, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Hilliard (With Notice and Proof):

H. 192. To amend Title 12, Chapter 19, Section 93 of the Code of Alabama 1975, so as to revise and establish fees and allowances paid to constables; to repeal conflicting statutes or provisions thereof; to provide for an effective date.

Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

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TACHED TO THE BILL, H. B. 192, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON, CLERK

By Mr. Smith (C):

H. 193. Proposing an amendment to the state constitution relative to carrying forward the general appropriation bill and the Special Educational Trust Fund appropriation bill for an additional year in the event the legislature fails to pass either of such bills by the twenty-fifth legislative day; and to prescribe the time frame for each house to consider and debate each such budget bill.

State Administration.

The above bill was read a first time at length as required by the Constitution.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Armstrong, Trammell, Boles and Howard:

H. J. R. 43. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

WHEREAS, Mr. Robert Millsap has served as Chairman of Bessemer State Technical College's Advisory Council since 1965, and has contributed many hours of his time in the development of the College in providing leadership with business and industry representatives; and

WHEREAS, it was through his efforts and dedication for Trade and Technical Education that brought about the establishment of Bessemer Trade School through state officials and the Trade School and Junior College Authority in 1962-1963; Mr. Millsap, as Chairman, gained the citizens' support of contributions to obtain the property where the College is located; and

WHEREAS, he has served on the Governor's Advisory Committee and is past president of the Bessemer Board of Education and Bessemer Chamber of Commerce; and

WHEREAS, since 1965 Bessemer State Technical College has grown to become the largest Technical College in the State of Alabama serving over 2200 students in technical training; and

WHEREAS, construction will begin in the spring of 1978 for an Industrial Training Center with the opening and dedication to be held in the fall; this new center will serve specialized training for business and industry; and

WHEREAS, to honor Mr. Robert Millsap, the College's Advisory Council has approved the designation of this facility as, "Millsap Industrial Training Center"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Industrial Training Center to be constructed at Bessemer State Technical College is hereby named and designated as, "Millsap Industrial Training Center."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in so designating said facility as, "Millsap Industrial Training Center."

On motion of Mr. Armstrong, the rules were suspended and the resolution, H. J. R. 43, was adopted.

Also:

By Mr. Mitchem:

H. J. R. 44. NOTING THE OCCASION OF MR. OSCAR VANN SHIRLEY'S 102ND BIRTHDAY.

WHEREAS, the Legislature of Alabama has noted with warm congratulations the 102nd birthday of Mr. Oscar Vann Shirley on July 31, 1978; and

WHEREAS, born in DeKalb County, Alabama, in 1876, Mr. Shirley has been a resident of Marshall County for the past eight years; and

WHEREAS, Mr. Shirley is the patriarch of a family of five generations; he has reared thirteen children and has approximately fifty grandchildren, many of whom are parents themselves and even grandparents; and

WHEREAS, Oscar Vann Shirley, who has always worked as a farmer, is a fine Christian gentleman, an outstanding citizen of the State of Alabama whom we wish many more years of health and happiness; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily offer our congratulations to Mr. Oscar Vann Shirley of Marshall County, Alabama, 102 years young, and direct that he receive a copy of this resolution that he may know of our warm best wishes and deep esteem.

On motion of Mr. Mitchem, the rules were suspended and the resolution, H. J. R. 44, was adopted.

Also:

By Mr. Smith (C):

H. J. R. 45. COMMENDING DONALD L. MARTIN, ALABAMA'S RESCUE SQUAD WORKER OF THE YEAR.

WHEREAS, the Alabama Legislature is pleased to note the selection of Mr. Donald Lewis Martin of Clanton, Alabama, as the American Legion's Alabama Rescue Squad Worker of the Year, he was honored recently at the American Legion's annual convention in Huntsville and is in contention for the national title soon to be awarded at the Legion's national convention in New Orleans; and

WHEREAS, Donny Martin, a Chilton County businessman and member of the Martin Funeral Home staff, won the award on the basis of his work to improve the rescue system used by the Chilton County Rescue Squad; and

WHEREAS, his community-oriented activities extend further to include active participation in the affairs of the First Baptist Church and in the many worthwhile endeavors of the Clanton Lions Club; he also, each year for many years, has directed the Cerebral Palsy Fund Drive in Chilton County and is himself a victim of cerebral palsy; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend

Donald Lewis Martin as Alabama's Rescue Squad Worker of the Year and further voice our appreciation for his contributory participation and interest in the affairs of his community and county.

BE IT FURTHER RESOLVED, That Mr. Martin receive a copy of this resolution as but a token of our profound esteem.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 45, was adopted.

Also:

By Mr. Hall:

H. J. R. 46. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

WHEREAS, Mrs. Jo Marshall has served as sponsor of Phi Theta Kappa for Jefferson State Junior College since 1970, and as advisor for the Alabama Region of Phi Theta Kappa since 1972; and

WHEREAS, under her leadership, Pi Pi Chapter in competition with over five-hundred chapters throughout the United States has won national recognition for excellence in scholastic pursuits, local and national activities, and service to school and community for the preceding six years; and

WHEREAS, the Alabama Region of Phi Theta Kappa was recognized as the Most Progressive Region of Phi Theta Kappa at the 1978 National Phi Theta Kappa Convention and was presented with the Beta Tau Regional Milestone Award; and

WHEREAS, Mrs. Marshall's contribution to the Alabama Region of Phi Theta Kappa was recognized at the 1978 Alabama State Convention when the Jo Marshall Award, an annual award to be given to the outstanding Phi Theta Kappa member in Alabama, was established; and

WHEREAS, Mrs. Marshall's dedication and devotion to the goals of Phi Theta Kappa, her interest in her students and her ability to lead them to seek excellence in their pursuits of scholarships, leadership, and service was recognized by the National Staff of Phi Theta Kappa on April 6, 1978, when Mrs. Jo Marshall was named Phi Theta Kappa Distinguished Sponsor; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Mrs. Jo Marshall for her interest and commitment to junior college student, and for the honor she has brought to Jefferson State Junior College, the Alabama Junior College System, and the State of Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Jo Marshall.

On motion of Mr. Hall, the rules were suspended and the resolution, H. J. R. 46, was adopted.

RESOLUTIONS

The following resolutions introduced on the first legislative day were read by title pursuant to Joint Rule 11:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTHEASTERN CONFERENCE ASSOCIATE COMMISSIONER, EMERITUS, DESIGNATE.

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTHEASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

H. R. 26. CONGRATULATING MISS BONNIE PLYER ON BEING NAMED "WOMAN OF ACHIEVEMENT."

H. R. 27. CONGRATULATING MR. AND MRS. ROBERT MORROW ON THEIR GOLDEN WEDDING ANNIVERSARY.

H. R. 28. VONGRATULOTING MR. AND MRS. ARTHUR DUNCAN ON THEIR SILVER WEDDING ANNIVERSARY.

H. R. 29. CONGRATULATING MR. AND MRS. EARL RICHARDSON ON THEIR GOLDEN WEDDING ANNIVERSARY.

H. R. 30. MOURNING THE DEATH OF MRS. WILLIE BOWENS.

H. R. 31. NOTING THE OCCASION IF MRS. LENORA S. JOHNSON'S 94TH BIRTHDAY.

H. R. 32. CONGRATULATING MISS PATTY LAY ON RECENT HONORS RECEIVED.

H. R. 33. NOTING THE OCCASION OF MRS. RENA BOYD'S 99TH BIRTHDAY.

H. R. 34. CONGRATULATING MR. AND MRS. W. F. BRUTON ON THEIR GOLDEN WEDDING ANNIVERSARY.

H. R. 35. MOURNING THE DEATH OF MR. JAMES SPENCER BLACK.

H. R. 36. CONGRATULATING MR. AND MRS. CULLEN SMITH ON THEIR GOLDEN WEDDING ANNIVERSARY.

On motion of Mr. Crowe, the resolutions were adopted en masse.

RESOLUTION

The following resolution was introduced:

By Mr. Killian:

H. R. 47. COMMENDING THE DEAN'S CHAPEL COMMUNITY CLUB FOR CIVIC RESPONSIBILITY.

WHEREAS, it has come to the attention of the Alabama House of Representatives that the Dean's Chapel Community in Jackson County, Alabama, is a very progressive and hospitable community and one in which many responsible, civic-minded citizens make their homes; and

WHEREAS, these said citizens have formed the Dean's Chapel Community Club which the House of Representatives deems worthy of commendation for its many fine accomplishments and services performed for Jackson County and the State of Alabama, and for its numerous recognitions and awards from various agencies and organizations; and

WHEREAS, the Alabama House of Representatives feels that Dean's Chapel and its Community Club epitomize the American ideals of progress and community spirit; and

WHEREAS, under the able leadership of President Carlton Thomas, Vice President Charles Crestwell, Secretary Winslow Thomas, and other fine leaders, the Club continues to prosper and serve; now therefore,

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we most heartily congratulate and commend the Dean's Chapel Community Club for its many notable accomplishments while encouraging its continued services and projects for the benefit of Jackson County and the State of Alabama.

BE IT FURTHER RESOLVED, That four copies of this resolution be sent to Mr. Carlton Thomas, President, that the Club's officers and membership might be aware of this body's deep appreciation and esteem.

Under the provisions of Joint Rule 11, the Clerk was instructed to hold the resolution, H. R. 47, on the Clerk's desk for one legislative day.

MOTION TO ADJOURN LOST

The motion offered by Mr. Carothers that the House adjourn until 9:00 o'clock a.m., Wednesday, August 2, 1978, was lost.

RESOLUTION

The following resolution was introduced:

By Mr. Hall:

H. R. 48. CALLING FOR IMMEDIATE REMEDIAL ACTION REGARDING TELEPHONE SERVICE IN THE PINSON-CLAY-TRUSSVILLE AREA OF JEFFERSON COUNTY.

WHEREAS, telephone customers of the Pinson-Clay-Trussville area in Jefferson County, Alabama, are being served by both the Continental and South Central Bell companies; and

WHEREAS, with two adjacent exchanges providing service in this area, present circumstances are such that calls made between the two exchanges are long distance calls; and

WHEREAS, the existence of this absurd situation mandates, for example, that residents of Clay, in order to call their children at school, are required to place a long distance call; even more ludicrous is the almost unbelievable fact that there are many next-door neighbors who must call long distance if they are to talk with each other by telephone; and

WHEREAS, this deplorable predicament also places an insufferable disadvantage on the businessmen of this area in their normal day-to-day business transactions; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That in sharp condemnation, this body calls for immediate action to disallow the practice of requiring that telephone calls be placed long distance when calling between two adjacent exchanges, not only in the Pinson-Clay-Trussville area of Jefferson County, but in each and every area of the State of Alabama.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the presidents of both the Continental and the South Central Bell Companies, and copies made available to each member of the Alabama Public Service Commission.

The resolution, H. R. 48, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Little and Higginbotham:

S. J. R. 9. PETITIONING THE OFFICIALS OF THE GAME AND FISH COMMISSIONS OF THE STATES OF ALABAMA AND GEORGIA URGING THEM TO AMEND AN EXISTING RECIPROCAL FISHING AGREEMENT SO AS TO RECOGNIZE THE VALIDITY OF ALABAMA AND GEORGIA FISHING LICENSES IN THE WATERS OF THE CHATTAHOOCHEE RIVER MEANDERING IN A SOUTHERLY DIRECTION FROM THE SOUTH FACE OF THE WEST POINT DAM TO THE POINT WHERE SAID RIVER IS INTERSECTED BY THE RIGHT-OF-WAY OF THE INTERSTATE 85 BRIDGE LINKING HARRIS COUNTY, GEORGIA, AND CHAMBERS COUNTY, ALABAMA.

WHEREAS, by an Act of the General Assembly of the State of Georgia, approved March 7, 1955, (Georgia Laws 1955, p. 483) and by the Code of Alabama 1975, Sections 9-11-210 through 9-11-213, the State Game and Fish Commissions of both states are authorized to enter into agreements of reciprocity whereby valid fishing licenses issued by each state will be honored by the other state on certain portions of the Chattahoochee River and those impoundments thereon; and

WHEREAS, pursuant to said laws the Game and Fish Commissions of the two states entered into such a reciprocal agreement on January 28, 1969, covering the water area of the Chattahoochee River and those impoundments thereon now existing or which may exist in the future, lying between the States of Georgia and Alabama; and

WHEREAS, the banks of the river and impoundments meander in and out of the State of Alabama making it difficult for fishermen to ascertain the location of the state boundary between the south face of the West Point Dam and the point where said river is intersected by the right-of-way of the Interstate 85 bridge linking Harris County, Georgia, and Chambers County, Alabama; and

WHEREAS, confusion exists as to whether Alabama sportsmen may legally fish under an Alabama license in that portion of said river lying between the Interstate 85 bridge and the south face of the West Point Dam under the reciprocal agreement even though portions of said stretch of the Chattahoochee River do not serve as a boundary; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the officials of the game and fish commissions of the States of Alabama and Georgia are hereby urged to amend the existing reciprocal agreement so as to recognize the validity of Alabama and Georgia fishing licenses in the waters of the Chattahoochee River meandering in a southerly direction from the south face of the West Point Dam to the point where said river is intersected by the right-of-way of the Interstate 85 bridge linking Harris County, Georgia, and Chambers County, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to all members of the Georgia Legislature representing any portions of Harris County and Troup County, Georgia.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith (M), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 9, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Ellis, Clemon, Pearson, Gilmore, Wilson, Vacca and Proctor:

S. J. R. 7. EXPRESSING LEGISLATIVE INTENT THAT EMPLOYERS' MATCHING PORTION OF UNEMPLOYMENT COMPENSATION LIABILITY FOR SCHOOL FOOD SERVICE EMPLOYEES BE PAID FROM THE SPECIAL EDUCATIONAL TRUST FUND.

WHEREAS, Act No. 1, H. 1 of the 1978 First Special Session, expanded coverage to employees of the state and its instrumentalities and provided the manner of financing the benefit costs pursuant to the unemployment compensation laws for such employees; and

WHEREAS, there has arisen a question if the school food service program is a federal program or a service under the school systems; and

WHEREAS, the U.S.D.A. only supplements by commodities and a small reimbursement relative to the overall cost of serving children school lunches; and

WHEREAS, the legislature intended for school food service personnel to be treated, under the said Act No. 1, on the same basis as are teachers and other support personnel; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the intent of the Alabama legislature that the employers' matching portion of unemployment compensation liability for school food service personnel be paid from the funds allocated pursuant to Section 13 of Act No. 1, H. 1 of the 1978 First Special Session, i.e., the Special Educational Trust Fund, on the same basis and in the same manner as such matching funds are paid for teachers and other support personnel.

RESOLVED FURTHER, That a copy of this resolution be sent to Dr. Wayne Teague of the Department of Education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 7, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Waldrop:

S. J. R. 16. NAMING THE EDGAR-BURGESS ROAD.

WHEREAS There is a need to name a county road variously known as the "Davis Gap Road" or "Walker's Gap Road" in Etowah County which connects U.S. 431 with Oak Grove Road in Calhoun County; and

WHEREAS, The late Cecil W. Edgar of Glencoe and the late Representative Ray Burgess of Saks were instrumental in improving the road in recent years; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the aforementioned county road be named the "Edgar-Burgess Road" in Etowah County, and the "Burgess-Edgar Road" in Calhoun County, and that the appropriate government subdivision be responsible for erecting the road signs which so indicate this honor that these men so richly deserve.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 16, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 5. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE, AND WISHING JAN BIDDLE A SPEEDY RECOVERY FROM SURGERY.

McDOWELL LEE,
Secretary.

ADJOURNMENT

On motion of Mr. Carothers and pursuant to the resolution, H. R. 39, heretofore adopted, the House adjourned until 9:00 o'clock a.m., Wednesday, August 2, 1978.

THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, August 2, 1978

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Fred Wilson, Pastor, Southside Baptist Church, Montgomery, Alabama.

3rd Day

ROLL CALL

On a call of roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNear, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Manley:

H. R. 49. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA That when we adjourn today, Wednesday, August 2, 1978, we adjourn to meet again on Thursday, August 3, 1978, at 5:00 P.M.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 49, was adopted.

BILLS ON SECOND READING

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 193. Proposing an amendment to the state constitution relative to carrying forward the general appropriation bill and the Special Educational Trust Fund appropriation bill for an additional year in the event the legislature fails to pass either of such bills by the twenty-fifth

legislative day; and to prescribe the time frame for each house to consider and debate each such budget bill.

The above bill was read a second time at length as required by the Constitution.

H. 125. To name the new Moody High School in St. Clair County, the "Roy and Vera B. Gibson High School."

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 82. To provide for regulation and retroactive adjustment of expense allowances for the district attorney for the Fifth Judicial Circuit in amounts equal to those already provided for the circuit judges; to provide that the provisions of this Act shall be retroactive to January 18, 1977.

H. 188. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Mr. Venable, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 88. (With Amendment): To provide for a guaranteed minimum starting wage or salary for all county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 190. To extend, alter and rearrange the boundaries and corporate limits of the City of Decatur, a municipal corporation in the State of Alabama so as to include within the corporate limits of the City of Decatur certain adjacent territory.

H. 191. Relating to Macon County; to provide further for the compensation of the county superintendent of education, and prescribing certain duties for such superintendent.

Mr. McNair, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 192. To amend Title 12, Chapter 19, Section 93 of the Code of Alabama 1975, so as to revise and establish fees and allowances paid to constables; to repeal conflicting statutes or provisions thereof; to provide for an effective date.

BILLS ON THIRD READING

And the bill:

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Drake, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Jackson (F), Jolly, Killian, Kinsey, Langford, Lee, Lockett, McCluskey, McMillan, McNees, Merrill, Morris, Naramore, Owens, Quarles, Ray, Roberts, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Warren, Williams and Wyatt.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hill, Holley, Holmes (D), Jackson (F), Jolly, Kelley, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Ray, Reed, Roberts, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Turnham, Venable, Warren, Weeks, White, Williams and Wyatt.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Baker, Campbell, Clark, Coburn, Crawford, Drake, Falkenburg, Gafford, Goodwin, Greer, Hill, Holley, Holmes (D), Jackson (F), Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, McCluskey, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Quarles, Ray, Reed, Roberts, Shoemaker, Smith (B), Smith (C), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Weeks, Whatley, White, Williams and Wyatt.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Howard, Jackson (F), Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, McCluskey, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Weeks, Whatley, White, Williams and Wyatt.

—64

And the bill:

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Holley, Holmes (D), Howard, Jackson (F), Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Quarles, Ray, Reed,

SECOND EXTRAORDINARY SESSION
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Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Weeks, Whatley, White and Wyatt.

—68

And the bill:

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Holley, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Wyatt and Younce.

—68

And the bill:

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sasser, Shoemaker, Smith (J), Smith (M), Sonnier, Towns, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams, Wyatt and Younce.

—68

And the bill:

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July

12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Was read a third time at length and passed, and ordered sent forth with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—67

And the bill:

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a license until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Was read a third time at length and passed and ordered sent forth with to the Senate without engrossment.

Yeas 57; Nays 1.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Clark, Coburn, Cooper, Crawford, Dial, Drake, Edwards, Goodwin, Greer, Hill, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Ray, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—57

Nay: Mr. Gafford.

—1

And the bill:

H. 58. (With Amendment): To change the compensation of the probate judge of Shelby County, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

3rd Day

Amend H. B. 58 by striking the following words in Section 1 on line 20, "beginning October 1, 1977"

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Messrs.: Albright, Baker, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Langford, Leonard, Lockett, Lutz, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Waggoner, Weeks, Whatley, White, Williams and Wyatt.

—56

And the bill, H. 58 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Holley, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Langford, Leonard, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Morris, Owens, Pegues, Plaster, Quarles, Ray, Reed, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Towns, Turnham, Venable, Waggoner, Warren, Weeks, White and Wyatt.

—54

And the bill:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Dial, Drake, Falkenburg, Gafford, Goodwin, Greer, Holley, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, Williams and Wyatt.

—61

And the bill:

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Crowe, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt:

—71

And the bill:

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 1.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Clark, Cooper, Crawford, Cross, Dial, Drake, Falkenburg, Goodwin, Greer, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—68

Nay: Mr. Gafford.

—2

And the bill:

H. 84. Relating to Shelby County; amending Sections 5 and 10 of Act No. 62, H. 213 of the 1977 Regular Session, which act relates to districts for fighting or preventing fires, so as to further provide for elections concerning such districts and service charges and filling vacancies on the Board of Trustees.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Clark, Cooper, Crawford, Falkenburg, Gafford, Goodwin, Greer, Harris, Holmes (D), Hopping, Jackson (F), Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin,

3rd Day

Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Sandusky, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Weeks, Whatley, Williams and Wyatt.

—60

Nays: Messrs.: Moore (O) and Smith (C).

—2

And the bill:

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 58; *Nays* 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Coburn, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Harris, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks and Wyatt.

—58

And the bill:

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 65; *Nays* 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Cates, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Ray, Reed, Rich, Roberts, Sandusky,

Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Whatley, Williams and Wyatt.

—65

And the bill:

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Whatley and Wyatt.

—62

And the bill:

H. 121. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Hall, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—56

And the bill:

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Was taken up.

SUBSTITUTE OFFERED

Mr. Manley offered the following substitute to the bill, H. 122:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which relates to the compensation of the sheriff of Marengo County is hereby repealed.

Section 2. This Act shall become effective in January, 1979, at the time Act No. 538, S. 367 of the 1978 Regular Session becomes effective.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Cooper, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—53

And the bill, H. 122, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Sparks, Towns, Turnham, Venable, Weeks, Williams and Wyatt.

—53

And the bill:

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Campbell, Carothers, Coburn, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Kinsey, Langford, Leonard,

Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Trammell, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—56

And the bill:

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Holmes (D), Hopping, Johnstone, Jolli, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—53

And the bill:

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Cooper, Crawford, Cross, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Williams, Wyatt and Younce.

—59

And the bill:

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend House Bill 152 on Line 14, page 1, by deleting the words and circuit clerk.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—56

And the bill:

H. 152. (With Amendment): Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Reed, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—54

And the bill:

H. 153. (With Amendment): To repeal Act No. 232, H. 693, approved September 11, 1975, Regular Session 1975 (Acts 1975, p. 759), entitled, "An Act Authorizing the county commission of Sumter County to pay the sheriff of Sumter County a monthly expense allowance of two hundred fifty dollars (\$250.00)."

was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 153 by deleting Section 2 in its entirety and inserting in lieu thereof the following:

Section 2. This act shall become effective in January, 1979, at the time Act No. 538, S. 367 of the 1978 Regular Session becomes effective.

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Ray, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Warren, Weeks, White, Williams and Wyatt.

—57

And the bill, H. 153 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Ray, Reed, Rich, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Whatley, White, Williams and Wyatt.

—58

And the bill:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cates, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Weeks, Whatley, Williams and Wyatt.

—55

And the bill:

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

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Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Cross, Dial, Falkenburg, Gafford, Goodwin, Greer, Holley, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—62

And the bill:

H. 7. To provide for appeals to the circuit court in Jefferson County from decisions of the Board of Equalization and to provide for the proceedings and procedure in the circuit court, on such appeals.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 1.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Greer, Hall, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Thomas, Towns, Turnham, Venable, Ward, Weeks, Whatley, White, Williams and Wyatt.

—61

Nay: Mr. Leonard.

—1

And the bill:

H. 8. To repeal Act No. 259, H. 530, approved June 24, 1943, Regular Session 1943 (General Acts of Alabama 1943, p. 230), as amended, entitled, "An Act To provide for appeals to the circuit court in counties having a population of 400,000 or more according to the last or any subsequent Federal census, from decisions of the Board of Equalization in such counties; and to provide for the proceedings and procedure in the circuit court, on such appeals."

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Greer, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues,

Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—59

Nay: Mr. Leonard.

—1

And the bill:

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Greer, Hall, Holley, Holmes (D), Hopping, Howard, Johnstone, Jolly, Kelley, Killian, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Quarles, Reed, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Weeks, Whatley, Williams and Wyatt.

—54

And the bill:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Callahan, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Whatley, Williams and Wyatt.

—56

And the bill:

H. 93. Relating to Jefferson County; levying an additional 1% lodging tax to be used by the Greater Birmingham Convention and Visitors Bureau to be used for the promotion of Birmingham as convention and visitors destination; providing that the Director of Revenue shall collect such tax.

3rd Day

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 53; Nays 2.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Dial, Falkenburg, Greer, Hilliard, Holley, Holmes (D), Hopping, Howard Jackson (F), Johnstone, Kelley, Killian, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—53

Nays: Messrs. Gafford and Hall.

—2

And the bill:

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and or provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Cross, Dial, Falkenburg, Gafford, Greer, Hall, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Ward, Weeks, Whatley, White, Williams and Wyatt.

—60

And the bill:

H. 21. To amend Section 5 of an act entitled "An Act to regulate the public schools of the County of Mobile," approved February 15, 1876, as last amended; so as to provide further for the filling of vacancies on the said Board of School Commissioners.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Dial, Falkenburg, Gafford, Goodwin, Greer, Harris, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Langford, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Ward, Weeks, Whatley, White, Williams and Wyatt.

—57

And the bill:

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Cooper, Crawford, Dial, Falkenburg, Gafford, Goodwin, Harris, Holley, Holmes (D), Johnstone, Kelley, Killian, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Pegues, Quarles, Ray, Reed, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Warren, Weeks, Williams and Wyatt.

—46

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Younce added as co-sponsor to the bill, H. 53.

And the bill:

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Goodwin, Hall, Harris, Holley, Holmes

(D), Jackson (F), Johnstone, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Weeks, White, Williams and Wyatt.

—55

And the bill:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Messrs.: Albright, Baker, Carothers, Carter, Cooper, Crowe, Dial, Falkenburg, Gafford, Goodwin, Hall, Harris, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—55

And the bill:

H. 69. Relating to Montgomery County; to authorize any restaurant, hotel, dining room or other such place of business having a license to sell alcoholic beverages to dispense, sell, and allow the drinking of alcoholic beverages on New Year's Eve commencing at 6:00 p.m.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 3.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Harris, Holley, Holmes (D), Kelley, Killian, Langford, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Ray, Rich, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Weeks, Williams and Wyatt.

—48

Nays: Messrs.: Barron, Smith (C) and Ward.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Campbell, Carothers, Carter, Cates, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Greer, Hall, Harris, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Rich, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—73

And the bill:

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Crawford, Crowe, Dial, Falkenburg, Gafford, Goodwin, Gregg, Hall, Harris, Holley, Holmes (D), Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Langford, Leonard, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Owens, Pegues, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Weeks, White, Williams and Wyatt.

—58

And the bill:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Crowe, Dial, Falkenburg, Goodwin, Holley, Holmes (D), Jackson (F), Johnstone, Jolly,

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Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Williams and Wyatt.

—54

And the bill:

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Warren, Weeks, White, Williams and Wyatt.

—60

And the bill:

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Hall, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Warren, Weeks, White, Williams and Wyatt.

—59

And the bill:

H. 118. To alter and rearrange the boundaries of the Town of Arton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Glass, Goodwin, Hall, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Pegues, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Weeks, Williams and Wyatt.

—53

And the bill:

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Hall, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Kennedy, Killian, Langford, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Warren, Weeks, Williams and Wyatt.

—57

And the bill:

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Warren, Weeks, White, Williams and Wyatt.

—57

And the bill:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts and for the levy and collection of fees for fire protection services.

Was taken up.

SUBSTITUTE OFFERED

Mr. Whatley offered the following substitute to the bill, H. 124:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendmnt to the Constitution of Alabama is hereby proposed and shall become valid as a part of the Constitution when approved and proclaimed ratified as provided by law:

PROPOSED AMENDMENT

The county commission of Russell County is hereby authorized to establish fire fighting districts within such county and enter into agreements with volunteer fire departments within such county for fire protection and services. Said districts shall exclude any corporate municipality which does not request through its governing body by resolution to be made a part of and subject to the provisions of this amendment.

The county commission of Russell County shall, at its next meeting after passage and approval of this amendment, appoint a committee consisting of the Chief of each volunteer fire department within the county. The purpose of this committee will be to keep the commission informed and advised as to the status and needs of the departments and to assist the commission in the setting of priorities regarding fire protection and services.

The county commission may, in its discretion, authorize the expenditure of public funds in support of any fire district.

The Russell County Commission may, upon recommendation of this committee, appoint a county fire marshal whose principle duty shall be the coordination of all fire protection within the county. This fire marshal shall perform such other tasks related to fire protection as may from time to time be assigned to him by the county commission.

This amendment is not intended nor shall it be construed to limit the authority or scope of the volunteer fire departments within Russell County or their operation within said county.

Section 2. An election upon this proposed amendment shall be held on the date of the first primary, general or special election held after the expiration of three months from the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Section 17-17-1 through 17-17-6 of the Code of Alabama 1975.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted for four weeks next preceding said election at each courthouse in said county.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Lutz, McCluskey, McCulley, McNees, Manley, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley and Williams.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Drake, Falkenburg, Gafford, Glass, Goodwin, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Lockett, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Ward, Weeks, Whatley and Williams.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

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Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Carothers, Carter, Crawford, Crowe, Dial, Falkenburg, Gafford, Goodwin, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Lockett, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, White and Williams.

—56

And the bill:

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 61; Nays 0.

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, White, Williams and Younce.

—61

And the bill:

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Goodwin, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Quarles, Ray, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley, White, Williams and Younce.

—56

And the bill:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goolwin, Greer, Hall, Hill, Holley, Hopping, Howard, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley, White and Williams.

—74

And the bill:

H. 111. (With Substitute): Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Be It Enacted by the Legislature of Alabama:

Section 1. The license commissioner presently serving in Calhoun County shall continue in that office until his successor is elected, in the 1980 primary or general election, and assumes office in January, 1981. Commencing with the election of the license commissioner in the 1980 election, the term of office shall be for six years from January, 1981, and shall be filled by the majority of the qualified electors voting thereon at the primary or general election held, in 1980, for county-wide

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offices which terms commence in 1981, and every six years thereafter. Notice of the election shall be given by the judge of probate, which notice shall be published once a week for three successive weeks before the day of the election. Candidates for the office shall qualify as other candidates for county office. The judge of probate shall certify the results of the election to the Secretary of State in the same manner as is required for all local or general elections. Beginning with the new term of office, in January 1981, and thereafter, the commissioner of license shall receive an annual salary of twenty-two thousand five hundred dollars (\$22,500). Such salary shall be paid from the county treasury in the same manner as other county officers' salaries are paid.

Section 2. The title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts, 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, except as herein otherwise provided.

And the substitute was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Drake, Falkenburg, Glass, Goodwin, Greer, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley, White and Williams.

—67

And the bill, H. 111 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Biddle, Buskey, Campbell, Carothers, Carter, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Falkenburg, Glass, Goodwin, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, White and Williams.

—61

And the bill:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain

officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Campbell, Carothers, Carter, Coburn, Cooper, Crawford, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley and Williams.

—65

And the bill:

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Greer, Hall, Holley, Holmes (D), Hopping, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley and Williams.

—60

And the bill:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Crowe, Dial, Falkenburg, Gafford, Glass, Greer, Hall, Hines, Holley, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Quarles, Ray, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Towns, Trammell, Tournham, Venable, Weeks and Williams.

—59

And the bill:

H. 170. (With Amendments): To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Mr. Manley, the motion offered by Mr. Greer to temporarily postpone consideration of the bill, H. 170 with pending amendments, was tabled.

Yeas 51; Nays 36.

Yeas:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Clark, Cooper, Crawford, Crowe, Dial, Edwards, Falkenburg, Ford, Gafford, Glass, Harris, Holley, Holmes (D), Jackson (F), Kinsey, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Robertson, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Turnham, Venable, Warren, Weeks, Whatley, White, Williams and Wyatt.

—51

Nays:

Messrs.: Albright, Armstrong, Buskey, Callahan, Carter, Coburn, Cross, Drake, Goodwin, Greer, Gregg, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnson, Kelley, Kennedy, Killian, Langford, Leonard, Lutz, Mitchem, Moore (W), Rich, Riddick, Roberts, Sandusky, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell and Waggoner.

—36

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 170, p. 3, line 11, by deleting the words "the ad valorem taxes" and substituting therefor the words "any ad valorem tax".

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Campbell, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Trammell, Turnham, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—77

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Holmes (D) added as co-sponsor to the bill, H. 170.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 170, p. 3, by inserting at the end of line 36, the following:

"No decrease in an assessment ratio pursuant to this subsection (c) shall be permitted with respect to either of the ad valorem tax years beginning October 1, 1978, and October 1, 1979, if such county, municipality or other taxing authority has increased any millage rate under subsection (e) of this section with respect to such ad valorem tax year."

And the amendment was adopted.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Greer, Harris, Hines, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Robert, Robertson, Sandusky, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—78

Nays: Messrs.: Hall and Holley.

—2

The question was then on the adoption of the amendment No. 3 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 170, p. 5, line 24, by inserting after the word "Constitution", the following:

"provided that the amount of the above-described certification of anticipated tax receipts with respect to such tax is less than 120% of the actual receipts from such tax for the ad valorem tax year beginning October 1, 1977,"

And the amendment was adopted.

Yeas 76; Nays 1.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Gregg, Harris, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kinsey, Lee, Leonard, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed,

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Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—76

Nay: Mr. Hall.

—1

The question was then on the adoption of the amendment No. 4 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 170, Section 1, Subsection (k), on page 9, at line 25 by deleting the period after the word "purposes" and adding and inserting on that line the following:

, household and kitchen furniture, all farm tractors, all farming implements when used exclusively in connection with agricultural property and all stocks of goods, wares and merchandise.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hines, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Lee, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—78

SUBSTITUTE OFFERED

Mr. Manley offered the following substitute to the bill, H. 170 as amended:

A BILL
TO BE ENTITLED
AN ACT

To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed:

"Section 217. (a) On and after October 1, 1978, Aall taxable property within this state, not exempt by law, shall be divided into the following classes for the purposes of ad valorem taxation:

Class I. All property of utilities used in the business of such utilities.

Class II. All property not otherwise classified.

Class III. All agricultural, forest and single-family owner-occupied residential property., and historic buildings and sites.

Class IV. All private passenger automobiles and motor trucks of the type commonly known as "pickups" or "pickup trucks" owned and operated by an individual for personal or private use and not for hire, rent or compensation.

(b) With respect to ad valorem taxes levied by the state, all taxable property shall be forever taxed at the same rate., On and after October 1, 1978, and such property shall be assessed for ad valorem tax purposes according to the classes thereof as herein defined at the following ratios of assessed value to the fair and reasonable market value (except as otherwise provided in subsection (j) hereof) of such property:

Class I. 30 per centum

Class II. 20 20 per centum

Class III. 15 10 per centum

Class IV. 15 per centum

(c) With respect to ad valorem taxes levied by counties, municipalities or other taxing authority authorities, all taxable property shall be forever taxed at the same rate., On and after October 1, 1978, and such property shall be assessed for ad valorem tax purposes according to the classes of property defined in paragraph subsection (a) herein hereof and at the same ratios of assessed value to the fair and reasonable market value thereof as fixed in paragraph subsection (b) herein hereof, except as otherwise provided in subsection (j) hereof and this subsection (such ratios being herein called "assessment ratios"). provided, however, that In connection with the ad valorem taxes that a county, municipality or other taxing authority is authorized or required to levy and collect pursuant to any provision of this Constitution, for the ad valorem tax year beginning October 1, 1978, any such taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, at any time not later than September 30, 1979, increase or decrease the assessment ratio applicable to any class of taxable property, such increase or decrease to be effective for ad valorem tax years beginning on and after October 1, 1978. If the receipts from any ad valorem tax with respect to which any assessment ratio has been so adjusted by any taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980 for ad valorem tax years beginning on and after October 1, 1979, the taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, adjust any assessment ratio with respect to such ad valorem tax. On and after October 1, 1979, the governing body of any county, municipality or other taxing authority legislature may, subject to criteria established by act of the legislature, at any time vary increase or decrease the assessment ratio of assessed value to the fair and reasonable market value as applicable to any class of taxable property; as defined in paragraph (b) herein, and provided, that any proposed adjustment to an assessment ratio to be made pursuant to this sentence, whether an increase or a decrease, shall have been (1) proposed by the governing body of the taxing authority after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently approved by a majority vote of the qualified electors re-

siding in the taxing authority who vote on the proposal at a special election called and held in accordance with the law governing special elections. No decrease in an assessment ratio pursuant to this subsection (c) shall be permitted with respect to either of the ad valorem tax years beginning October 1, 1978, and October 1, 1979, if such county, municipality or other taxing authority has increased any millage rate under subsection (e) of this section with respect to such ad valorem tax year. further, that tThe legislature shall enact general laws applicable to all counties, municipalities and other taxing authorities regulating and establishing criteria for the exercise of the powers granted such taxing authorities to adjust assessment ratios as hereinabove provided. may fix a uniform ratio of assessment of all property within a county defined in paragraph (a) herein as Class II and III and may fix a different ratio of assessment for property defined in paragraph (a) as Class I. Such assessment ratios as herein authorized may vary among taxing authorities counties so long as each such assessment ratio is uniform within a taxing authority county. An decrease in any assessment ratio pursuant to this subsection shall not jeopardize the payment of any bonded indebtedness secured by any tax levied by the taxing authority decreasing the assessment ratio. Any action authorized by this subsection to be taken by a taxing authority, or the governing body thereof, shall, other than in the case of a municipality, be taken by resolution of the governing body of the county in which such taxing authority is located acting on behalf of such taxing authority.

(d) With respect to ad valorem taxes levied by the state or by any county, municipality or other taxing authority, Nno class of taxable property shall have an assessment ratio of assessed value to fair and reasonable market value of less than 15 5 per centum nor more than 35 per centum.

(e) (d) A county, municipality, or other taxing authority may decrease any ad valorem tax rate at any time, provided such decrease shall not jeopardize the payment of any bonded indebtedness secured by such tax. For the ad valorem tax year beginning October 1, 1978, Wwhen the tax assessor of each county shall complete the assembly of the assessment book for his county for the that ad valorem tax year immediately following the adoption of this amendment and the computation of ad valorem taxes that will be paid upon such assessment, he shall certify to each authority within his county that levies an ad valorem tax the amount of ad valorem tax that will be produced by every levy in that ad valorem tax year but excluding for this purpose any assessment of new taxable property not previously subject to taxation (except "escaped" property as defined by law) added to the tax rolls of such county for the ad valorem tax year in which such certification is made that was not included on the tax rolls for the next preceding ad valorem tax year. If it shall appear that the estimated ad valorem tax receipts from any levy so estimated shall be less than the receipts from the same levy during the next preceding ad valorem tax year, then the levying authority shall increase each tax rate by such millage as Any county, municipality or other taxing authority, at any time not later than September 30, 1979, may increase the rate at which any ad valorem tax is levied by or with respect to that taxing authority above the limit otherwise provided in this Constitution, provided that the amount of the above-described certification of anticipated tax receipts with respect to such tax is less than 120% of the actual receipts from such tax for the ad valorem tax year beginning October 1, 1977, such increase to be effective for ad valorem tax years beginning on and after October 1, 1978; provided, that any such millage increase shall not exceed in mills the total of (i) the number of additional mills that is necessary, when added to the millage rate imposed with respect to such tax on each

dollar of taxable property situated in the taxing authority for the ad valorem tax year beginning October 1, 1977, to produce revenue that is not less than and that is substantially equal to that received by the taxing authority with respect to such tax during such immediately preceding ad valorem tax year, plus (ii) a number of additional mills equal to 20% of the total mills imposed by that taxing authority with respect to such tax on each dollar of taxable property situated in the taxing authority for the ad valorem tax year beginning October 1, 1977. If, for the ad valorem tax year beginning October 1, 1978, the receipts from any ad valorem tax with respect to which any millage rate has been increased pursuant to the immediately preceding sentence are less than 95 percent of the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980, the taxing authority may increase any millage rate with respect to such ad valorem tax in the manner provided in the immediately preceding sentence, such increase to be effective for ad valorem tax year beginning on and after October 1, 1979. It is further provided that any and all millage adjustments shall be made in increments of not less than one tenth ($\frac{1}{2}$ 10) mill. The adjustment herein required shall be made only one time and shall be made in the ad valorem tax year immediately following the adoption of this amendment.

(f) (e) On and after October 1, 1979, Any county, municipality, or other taxing authority may at any time increase the rate at which any ad valorem tax taxes are levied above the limit now otherwise provided in the this Constitution; provided that the proposed increase to be made pursuant to this subsection shall have been (1) proposed by the governing body of the taxing authority having power to levy the tax after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently approved by a majority vote of the qualified electors of residing in the taxing authority area in which the tax is to be levied or increased who vote on the proposal at a special election called and held in accordance with the law governing special elections. Any adjustments or other actions authorized to be made or taken pursuant to this subsection and subsection (e) hereof shall be made or taken by resolution of the governing body of such taxing authority, or if there is no such governing body and in the case of a taxing authority other than a municipality, by resolution of the governing body of the county in which such taxing authority is located acting on behalf of such taxing authority. The provisions of subsections (c), (e) and (f) of this section shall not apply to ad valorem taxes levied by the State.

(g) (f) The legislature is authorized to enact legislation to implement the provisions of this amendment, section and may provide for exemptions from taxation; provided, however, that, unless otherwise expressly provided, no amendment to this section shall be construed to repeal any statutory exemption existing prior to the adoption of this amendment shall not be repealed, except by subsequent legislative act, and shall remain in full force and effect on the effective date of any such amendment hereto.

(h) (g) Wherever any constitutional provision or statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes, as the case may be.

(i) (h) Except as otherwise provided in Any provision of the this Constitution, including any amendment thereto whenever adopted with respect to taxable property located in the City of Mountain Brook, the

City of Vestavia Hills, or the City of Huntsville, of Alabama to the contrary notwithstanding, the amount of ad valorem taxes payable to the state and to all counties, municipalities and other taxing authorities with respect to any item of taxable property described as Class I property shall never exceed 2% $1\frac{1}{2}\%$ of the fair and reasonable market value of such taxable the property in any one ad valorem tax taxable year., such amount with respect to any item of Class II property shall never exceed $1\frac{1}{2}\%$ of the fair and reasonable market value of such taxable property in any one ad valorem tax year, such amount with respect to any item of Class IV property shall never exceed $1\frac{1}{4}\%$ of the fair and reasonable market value of such taxable property in any one ad valorem tax year, and such amount with respect to any item of Class III property shall never exceed 1% of the fair and reasonable market value of such taxable property in any one ad valorem tax year. Whenever the total amount of ad valorem property taxes otherwise payable by any taxpayer with respect to any item of taxable property shall exceed in any one ad valorem tax year the maximum amount of such taxes permitted by this section, such amount of taxes shall be reduced by subtracting that amount of tax due that is in excess of the amount of tax otherwise permissible under the Constitution. In connection with the taxation of any item of taxable property, the amount of tax to be subtracted with respect to each authority levying and collecting any ad valorem property tax shall be in the same proportion to the total amount of tax to be subtracted that the total number of mills on each dollar of taxable property situated in the taxing authority levied by such taxing authority bears to the total number of mills on each dollar of taxable property situated in the taxing authority levied by all taxing authorities with respect to such item of taxable property. Before sending to any taxpayer any notice relating to the collection of ad valorem taxes, the tax collector in each county shall determine whether any portion of the amount of ad valorem property tax otherwise due with respect to any item of taxable property shall be subtracted pursuant to the provisions of this subsection and shall apportion the amount to be subtracted in accordance with the provisions of this subsection.

(j) Notwithstanding any other provision of this section, on and after October 1, 1978, taxable property defined in subsection (a) hereof as Class III property shall, upon application by the owner of such property, be assessed at the ratio of assessed value to the current use value of such taxable property and not the fair and reasonable market value of such property, provided that the legislature shall have enacted laws uniformly applicable to the state and all counties, municipalities and other taxing authorities establishing criteria and procedures for the determination of the current use value of any eligible taxable property and procedures for qualifying such property for assessment at its current use value. The legislature may also enact laws uniformly applicable to the state and all counties, municipalities and other taxing authorities providing for the ad valorem taxation of any taxable property ceasing to qualify for current use valuation.

(k) (i) The following property shall be exempt from all ad valorem taxation: the real and personal property of the state, counties and municipalities and property devoted exclusively to religious, educational or charitable purposes, household and kitchen furniture, all farm tractors, all farming implements when used exclusively in connection with agricultural property and all stocks of goods, wares and merchandise.

(l) Notwithstanding the other provisions of this section, with respect to the costs of reappraisal incident to the state-wide reappraisal of property heretofore authorized by the legislature, each county, municipality or other taxing authority for ad valorem tax years beginning

on and after October 1, 1978, may impose and levy an additional ad valorem tax of not more than two mills on all taxable property located in the taxing authority in order to reimburse itself for its payment of such costs of reappraisal or to pay any unpaid costs or its pro rata share of such unpaid costs of reappraisal. The taxes provided for in this subsection, or any pro rata part thereof, shall terminate at the end of the ad valorem tax year in which sufficient funds are received from the taxes to pay in full the said reappraisal costs and any receipts from such taxes that are received during the ad valorem tax year of their termination that are not needed for the purposes specified herein may be used by the taxing authority levying the tax for general purposes of the taxing authority. The taxes authorized in this subsection shall not exceed in the aggregate, with respect to any item of taxable property located in the taxing authority, a total of two mills for all such taxes levied by all taxing authorities in a county and not two mills for each taxing authority in a county. If more than one such taxing authority in a county has paid or owes all or a portion of its reappraisal costs, such two mills shall be prorated among such taxing authorities in the county as they may agree, or if they cannot agree, in the percentage which each such taxing authority's costs of reappraisal bear to the total costs of reappraisal of all taxing authorities in the county. The provisions of this subsection shall apply only to the costs incurred by a taxing authority incident to the state-wide reappraisal of property heretofore authorized by the legislature, the amount of which costs shall be certified by the Department of Revenue, and shall not be applicable to any future reappraisals that may be required by law.

(m) If any portion of this section should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this section, which shall continue effective."

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on Tuesday, November 7, 1978, the day of the general election in the year 1978. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901, and Title 17, Chapter 17, Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election on the proposed amendment shall be given by proclamation of the Governor, published in a newspaper in each county in the state once a week for four successive weeks next preceding the day appointed herein for the election, and in any county in which there may be no newspaper published, the notice shall be posted at each courthouse therein.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore,

Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—84

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Johnstone added as co-sponsor to the bill, H. 170.

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 1 to the bill, H. 170 as amended:

Amend H. B. 170 by deleting subsection (j) on page 9.

AMENDMENT TABLED

On motion of Mr. Manley, the amendment No. 1 offered by Mr. Leonard to the bill, H. 170 as amended, was tabled.

Yeas 68; Nays 14.

Yeas:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Kinsey, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—68

Nays:

Messrs.: Albright, Buskey, Callahan, Hall, Harrison, Hopping, Howard, Kennedy, Langford, Lee, Leonard, Sonnier, Thomas and Towns.

—14

AMENDMENT OFFERED

Mr. Leonard offered the following amendment No. 2 to the bill, H. 170 as amended:

Amend H. B. 170 by adding at the end of section (j) on page 8

"This provision j shall not be applied to more than 160 acres per individual".

AMENDMENT TABLED

On motion of Mr. Manley, the amendment No. 2 offered by Mr. Leonard to the bill, H. 170 as amended, was tabled.

Yeas 65; Nays 16.

Yeas:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Carter, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Greer, Harris, Hill, Holmes (D), Jackson (F), Johnstone, Kelley, Kinsey, Lee, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin,

Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Reed, Rich, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—65

Nays:

Messrs.: Albright, Buskey, Callahan, Coburn, Cooper, Hall, Harrison, Holley, Hopping, Howard, Johnson, Kennedy, Leonard, McCluskey, Naramore and Sonnier.

—16

And the bill, H. 170 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 8.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Cates, Clark, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Harris, Hines, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kinsey, Langford, Lee, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—75

Nays:

Messrs.: Buskey, Hall, Harrison, Howard, Jackson (R), Kennedy, Leonard and Riddick.

—8

And the bill:

H. 171. (With Amendments): To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

Was taken up.

The question was then on the adoption of the amendment No. 1 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 171, p. 3, line 21, by deleting the “” and substituting therefor “[”, and

Amend line 22 of said bill and page by deleting within the parenthesis the figure “1” and substituting therefor “]”.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—87

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Holmes (D) added as co-sponsor to the bill, H. 171.

The question was then on the adoption of the amendment No. 2 reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 171, p. 4 by inserting a period at the end of line 23 and deleting lines 24 and 25.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—89

AMENDMENT OFFERED

Mr. McMillan offered the following amendment to the bill, H. 171 as amended:

Amend House Bill 171, pg. 3, line 7, by deleting paragraph 4 in its entirety and renumbering subsequent paragraphs and further amend

House Bill 171, pg. 3, line 35 by inserting after the word products, the following phase: or for the growing and sale of timber and forest products.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Qrake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Kelley, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—79

AMENDMENT OFFERED

Mr. Manley offered the following amendment to the bill, H. 171 as amended:

Amend House Bill No. 171 Page 3 Line 5, by inserting after the word "and" the words "single family owner-occupied" and in line 26 of said bill and said page, inserting after word "ALL" the words "SINGLE FAMILY OWNER-OCCUPIED"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Holley, Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—84

AMENDMENT OFFERED

Mr. Barron offered the following amendment to the bill, H. 171 as amended:

Amend H. B. 171 by deleting paragraph (b) (7) on page 4 in its entirety.

AMENDMENT TABLED

On motion of Mr. Manley, the amendment offered by Mr. Barron to the bill, H. 171 as amended, was tabled.

Yeas 46; Nays 39.

Yeas:

Mr. Speaker, Armstrong, Baker, Callahan, Carothers, Carter, Clark, Edwards, Falkenburg, Ford, Gafford, Glass, Gregg, Harris, Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Plaster, Reed, Rich, Riddick, Robertson, Sasser, Shoemaker, Smith (M), Sonnier, Starkey, Turnham, Ward, Weeks, Whatley, White and Williams.

—46

Nays:

Messrs.: Albright, Andrews, Barron, Buskey, Campbell, Coburn, Crawford, Goodwin, Greer, Hall, Harrison, Hill, Hilliard, Holley, Holmes (D), Hopping, Howard, Jackson (R), Jolly, Kennedy, Langford, Lee, Leonard, Lockett, McCulley, Martin, Naramore, Pegues, Roberts, Smith (C), Sparks, Taylor, Thomas, Towns, Trammell, Venable, Warren, Wyatt and Younce.

—39

AMENDMENT OFFERED

Messrs. Cross, Edwards and Hill offered the following amendment to the bill, H. 171 as amended:

Amend HB 171 by inserting a new Section 4 on page 8 and renumbering the existing Section 4 and subsequent sections accordingly, viz:

Section 3. Each taxpayer who was assessed and who paid a higher amount of state, county or municipal ad valorem tax as a result of the completion of a countywide property reappraisal, and the implementation of the newly appraised property values as the tax base in that county, between October 1, 1975 and the effective date of this Act shall be entitled to a credit against his tax liability arising under the same tax or taxes, in the amount of the increase which resulted from said reappraisal, to be used during such tax year or years as the taxpayer elects until the credit is exhausted.

SUBSTITUTE AMENDMENT OFFERED

Mr. Holley offered the following substitute amendment to the amendment offered by Messrs. Cross, Edwards and Hill, to the bill, H. 171 as amended:

Amend HB 171 by inserting a new Section 4 on page 8 and renumbering the existing Section 4 and subsequent sections accordingly, viz:

Section 1. Each taxpayer who was assessed and who paid a higher amount of state ad valorem tax as a result of the completion of a countywide property reappraisal, and the implementation of the newly appraised property values as the tax base in that county, between October 1, 1975 and the effective date of this Act shall be entitled to a credit against his tax liability arising under the same tax or taxes, in the amount of the increase which resulted from said reappraisal, to be used during such tax year or years as the taxpayer elects until the credit is exhausted.

SUBSTITUTE AMENDMENT TABLED

On motion of Mr. Cross, the substitute amendment offered by Mr. rolley was tabled.

Yeas 58; Nays 19.

Yeas:

Messrs.: Albright, Armstrong, Baker, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Glass, Goodwin, Greer, Gregg, Hill, Hines, Holmes (D), Johnstone, Jolly, Kelley, Kinsey, Lee, Lutz, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Reed, Rich, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (J), Smith (M), Sparks, Taylor, Towns, Trammell, Turnham, Venable, Warren and Williams.

—58

Nays:

Messrs.: Andrews, Barron, Buskey, Hall, Harris, Harrison, Hilliard, Hopping, Howard, Johnson, Kennedy, Langford, Leonard, McNair, Ray, Riddick, Smith (B), Whatley and Wyatt.

—19

AMENDMENT ADOPTED

The question was then on the amendment offered by Messrs. Cross, Edwards and Hill to the bill, H. 171 as amended, and the amendment was adopted.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams, Wyatt and Younce.

—85

Nays: Messrs.: Howard and Whatley.

—2

AMENDMENT OFFERED

Mr. Wyatt offered the following amendment to the bill, H. 171 as amended:

Amend H. B. 171 by changing the period at the end of paragraph (b) (7) on line 25, page 4, to a comma and adding the following:

“provided however that this provision shall not apply to any such building used for commercial, office or public utility purposes.”

AMENDMENT TABLED

On motion of Mr. White, the amendment offered by Mr. Wyatt to the bill, H. 171 as amended, was tabled.

Yeas 47; Nays 44.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Campbell, Carothers, Clark, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Harris, Hines, Hopping, Jackson (F), Johnstone, Kelley, Langford, Lee, Lockett, McCluskey, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Quarles, Reed, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Taylor, Towns, Waggoner, Warren, White and Williams.

—47

Nays:

Messrs.: Albright, Andrews, Barron, Buskey, Carter, Cates, Coburn Cross, Ford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Howard, Jackson (R), Johnson, Jolly, Kennedy, Kinsey, Leonard, Lutz, McCulley, McMillan, McNair, McNees, Martin, Moore (W), Plaster, Ray, Riddick, Roberts, Robertson, Sparks, Thomas, Venable, Weeks, Whatley, Wyatt and Younce.

—44

And the bill, H. 171 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 11.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Towns, Trammell, Venable, Waggoner, Ward, Weeks, Whatley, White, Williams, Wyatt and Younce.

—85

Nays:

Messrs.: Albright, Buskey, Hall, Harrison, Hilliard, Holmes (A), Howard, Jackson (R), Kennedy, Leonard and Thomas.

—11

And the bill:

H. 172. (With Amendment): To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize

the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend House Bill No. 172, p. 8, line 14, by deleting the words "for residential property, and" and by deleting all of lines 15 and 16.

And the amendment was adopted.

Yeas 82; Nays 4.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Plaster, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Towns, Trammell, Waggoner, Ward, Warren, Weeks, Whatley, William, Wyatt and Younce.

—82

Nays: Messrs.: Hall, Hilliard, Jackson (R) and Leonard.

—4

AMENDMENT OFFERED

Mr. Manley offered the following amendment to the bill, H. 172 as amended:

I move to amend House Bill No. 172 Page 2 Line 23, by inserting after the word "No." the number "170".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 87; Nays 4.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Rich, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith

(M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Venable, Waggoner, Ward, Warren, Whatley, White, Williams, Wyatt and Younce.

—87

Nays: Messrs.: Hall, Hilliard, Jackson (R) and Leonard.

—4

And the bill, H. 172 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 10.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Boles, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—87

Nays:

Messrs.: Albright, Buskey, Hall, Harrison, Hilliard, Howard, Jackson (R), Kennedy, Leonard and Naramore.

—10

PERMISSION GRANTED

Permission was granted for the Journal to show Messrs. Morris and Holmes (D) added as co-sponsors to the bill, H. 170, H. 171, H. 172 and H. 173.

And the bill:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

Was taken up.

AMENDMENT OFFERED

Mr. Campbell offered the following amendment to the bill, H. 173:

Amend the title of House Bill 173 by inserting on page line 34 following the word "inventory" the following words and figures "of less than \$200,000.00 at each place of business.

SUBSTITUTE AMENDMENT OFFERED

Mr. Holley offered the following substitute amendment to the amendment offered by Mr. Campbell to the bill, H. 173:

Amend the title of House Bill 173 by inserting on page line 34 following the word "inventory" the following words and figures "of less than \$500,000.00 at each place of business.

SUBSTITUTE AMENDMENT TABLED

On motion of Mr. Crowe, the substitute amendment offered by Mr. Holley to the amendment offered by Mr. Campbell to the bill, H. 173, was tabled.

Yeas 57; Nays 24.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Clark, Crowe, Dial, Falkenburg, Ford, Gafford, Glass, Greer, Harris, Hill, Hines, Holmes (A), Howard, Killian, Kinsey, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Ray, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (C), Smith (M), Sonnier, Starkey, Taylor, Towns, Trammell, Turnham, Waggoner, Warren, Weeks, Williams, Wyatt and Younce.

—57

Nays:

Messrs.: Albright, Andrews, Buskey, Crawford, Cross, Hall, Harrison, Hilliard, Holmes (D), Hopping, Jackson (R), Johnson, Johnstone, Kennedy, Langford, Lee, Leonard, McNair, Martin, Quarles, Riddick, Thomas, Ward and Whatley.

—24

AMENDMENT TABLED

The question was then on the amendment offered by Mr. Campbell to the bill, H. 173, and on motion of Mr. Crowe the amendment was tabled.

Yeas 54; Nays 28.

Yeas:

Mr. Speaker, Baker, Callahan, Carothers, Cates, Clark, Crawford, Crowe, Dial, Falkenburg, Ford, Glass, Greer, Harris, Hill, Holmes (D), Jolly, Killian, Kinsey, McCluskey, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—54

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Campbell, Carter, Coburn, Cross, Gafford, Hall, Harrison, Hilliard, Holley, Holmes (A), Hopping, Jackson (R), Johnson, Johnstone, Langford, Lee, Leonard, Lockett, McCulley, McNair, Martin, Riddick, Thomas and Ward.

—28

3rd Day

AMENDMENT OFFERED

Mr. Leonard offered the following amendment to the bill, H. 173:

Amend the title of House Bill 173 by inserting on page line 34 following the word "inventory" the following words and figures "of less than \$700,000.00 at each place of business."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 85; Nays 8.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Callahan, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Thomas, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—85

Nays:

Messrs.: Buskey, Carothers, Crowe, Falkenburg, Ford, Smith (B), Towns and Wyatt.

—8

And the bill:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of less than \$700,000.00 at each place of business of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 5.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shoe-

maker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—91

Nays: Messrs.: Albright, Buskey, Harrison, Hilliard and Kennedy. —5

And the bill:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

Was taken up.

AMENDMENT OFFERED

Mr. Owens offered the following amendment to the bill, H. 175:

Amend H. 175 by inserting in Section 1, line , after the word levied, the following words:

except school district taxes

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Carothers, Carter, Cates, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—95

PERMISSION GRANTED

Permission was granted for the Journal to show Messrs. Cooper, Holmes (D) and Morris added as co-sponsors to the bill, H. 175.

AMENDMENT OFFERED

Mr. Robertson offered the following amendment to the bill, H. 175 as amended:

Amend H. B. 175, page 2, line 11, by inserting after the word "area" the following sentence:

With respect to homesteads situated in more than one county, the exemption granted herein shall be prorated between the counties in which the homestead is situated in the proportion that the area of the homestead in each county bears to the total area of the homestead claimed for exemption.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—97

And the bill, H. 175 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—99

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Andrews added as co-sponsor to the bill, H. 175.

And the bill:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

Was taken up.

AMENDMENT OFFERED

Mr. Johnson offered the following amendment to the bill, H. 174:

Amend House Bill No. 174, page 2, line 36-37 by striking out the words "\$5,000.00" and inserting after the word "\$5,000.00" the word "\$7,500.00"

and by amending p. 2 line 36 by striking out the word "gross" and inserting instead the word "taxable"

and inserting after the word "income" the words "for federal income tax purposes"

and by deleting the striking through words and re-inserting them except as otherwise changed in this amendment

AMENDMENT TABLED

On motion of Mr. Holmes (D) the amendment offered by Mr. Johnson to the bill, H. 174, was tabled.

Yeas 47; Nays 41.

Yeas:

Messrs.: Baker, Barron, Callahan, Campbell, Carothers, Clark, Crawford, Dial, Falkenburg, Ford, Gafford, Glass, Hines, Holmes (D), Jackson (F), Kinsey, Lee, Lockett, McMillan, McNees, Manley, Martin, Mitchem, Moore (W), Owens, Pegues, Plaster, Quarles, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Taylor, Towns, Turnham, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Carter, Cates, Cross, Crowe, Drake, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Holley, Holmes (A), Hopping, Howard, Johnson, Jolly, Kelley, Kennedy, Killian, Langford, Leonard, Lutz, McCluskey, McNair, Naramore, Reed, Riddick, Robertson, Smith (B), Sparks, Starkey, Thomas, Trammell, Venable and Waggoner.

—41

PERMISSION GRANTED

Permission was granted for the Journal to show Messrs. Holmes (D) and Greer added as co-sponsors to the bill, H. 174.

And the bill, H. 174, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 4.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker,

SECOND EXTRAORDINARY SESSION
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Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—92

Nays: Messrs.: Harrison, Holley, Leonard and Riddick.

—4

RECESS

On motion of Mr. Manley and pursuant to the resolution, H. R. 39 heretofore adopted, the House recessed until 1:30 o'clock p.m.

HOUSE RECONVENED

The hour of 1:30 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

And the bill:

H. 47. (With Amendment): To authorize Alabama Public School and College Authority to sell and issue two hundred and nineteen million dollars (\$219,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 47 on Page 1 in the Synopsis, line 10, by deleting \$219,000,000 and adding in lieu thereof \$220,000,000."

Further Amend House Bill 47 on Page 1 in the Title, lines 30 and 31 by deleting the words two hundred and nineteen million dollars

(\$219,000,000) and adding in lieu thereof "two hundred and twenty million dollars (\$220,000,000)."

Further Amend House Bill 47, on page 4, Section 2, lines 19 and 20, by deleting the words two hundred and nineteen million dollars (\$219,000,000) and adding in lieu thereof "two hundred and twenty million dollars (\$220,000,000)."

Further Amend House Bill 47 on Page 15, Section 8, Subsection A, line 16 by deleting \$581,305 and adding in lieu thereof "\$1,581,305".

And the amendment was adopted.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Carothers, Cates, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holmes (D), Howard, Jackson (R), Jolly, Kelley, Kennedy, Kinsey, Langford, Leonard, Lutz, McMillan, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, White and Williams.

—64

Nay: Mr. Harrison.

—1

AMENDMENT OFFERED

Mr. McCorquodale offered the following amendment to the bill, H. 47 as amended:

Amend House Bill No. 47 Page 17 Line 34, by striking out the word "purchase" and substituting the words "alter and improve".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Buskey, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Kinsey, Langford, Leonard, Lockett, Lutz, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Taylor, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—76

AMENDMENT OFFERED

Mr. Ford offered the following amendment to the bill, H. 47 as amended:

Amend H. 47, Page 16, subsection (c) (1) after the word and figure "education." by inserting the following:

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Provided, however, all of the money appropriated in this subsection for the Etowah County School System shall be allocated and appropriated for constructing and equipping a new middle school in Rainbow City.

Also, on page 17, subsection (c) (3), line 6, amend after the word and figure "Act.", by inserting the following:

Provided, however, of the moneys allocated for the Gadsden Schools systems, \$250,000 shall be allocated to the construction of a new football stadium in East Gadsden. All of the money allocated in the Etowah County School system from this subsection shall be used for constructing and equipping a new middle school in Rainbow City.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 3.

Yeas:

Mr. Speaker, Albright, Armstrong, Buskey, Carter, Clark, Cooper, Crawford, Cross, Crowe, Falkenburg, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holmes (D), Hopping, Howard, Johnstone, Jolly, Kennedy, Kinsey, Langford, McMillan, Manley, Martin, Merrill, Naramore, Owens, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Taylor, Thomas, Venable and Weeks.

—49

Nays: Messrs.: Holmes (A), Jackson (R) and Mitchem.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Moore (O) offered the following amendment to the bill, H. 47 as amended:

On page 1, lines 30-31, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred and twenty-five thousand dollars (\$219,125,000)

On page 4, lines 19-20, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred and twenty-five thousand dollars (\$219,125,000)

On page 17, line 7, strike the words and figures "Two million five hundred thousand (\$2,500,000)" and insert in lieu thereof the following:

Two million six hundred and twenty-five thousand (2,625,000)

On page 17, in subsection (d), after line 23, insert the following item and renumber the remaining items:

12. Shelby County—Vincent High School 125,000

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 42; Nays 12.

Yeas:

Messrs.: Carter, Coburn, Crowe, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Killian, Kinsey, McMillan, McNees, Merrill, Mitchem, Moore (O), Morris, Naramore, Plaster, Ray, Reed, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable and Younce.

—42

Nays:

Mr. Speaker, Carothers, Clark, Cooper, Falkenburg, Gafford, Leonard, McCulley, Sasser, Ward, Warren and Wyatt.

—12

AMENDMENT OFFERED

Mr. Morris offered the following amendment to the bill, H. 47 as amended:

Amend H. B. 47, page 15, line 6 by changing the figure \$618,980 to "818,980"

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Morris to the bill, H. 47 as amended, was tabled.

Yeas 57; Nays 12.

Yeas:

Mr. Speaker, Andrews, Armstrong, Barron, Buskey, Carothers, Carter, Crawford, Cross, Crowe, Drake, Falkenburg, Ford, Gafford, Glass, Greer, Hall, Harris, Hill, Hilliard, Holmes (D), Hopping, Jackson (F), Johnson, Kelley, Kennedy, Kinsey, Langford, Lee, Lutz, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (C), Sonnier, Sparks, Starkey, Thomas, Towns, Waggoner, Ward, Warren, Weeks, White, Wyatt and Younce.

—57

Nays:

Messrs.: Campbell, Clark, Howard, Jackson (R), Johnstone, Killian, Leonard, Manley, Morris, Naramore, Robertson and Smith (J).

—12

AMENDMENT OFFERED

Mr. Hill offered the following amendment to the bill, 47 as amended:

Section 1. House Bill 47, Section 8(e)5, Page 17, Lines 33 and 34 is hereby amended to read as follows:

5. Department of Youth Services (\$125,000 must be used to purchase renovate Harris Home in Huntsville) \$625,000 \$2,125,000

AMENDMENT TABLED

On motion fo Mr. McCorquodale, the amendment offered by Mr. Hill to the bill, H. 47 as amended, was tabled.

Yeas 58; Nays 4.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Campbell, Carothers, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Ford, Gafford, Glass, Hall, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Jolly, Kennedy, Kinsey, Lee, Leonard, Lutz, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Quarles, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Sonnier, Starkey, Turnham, Ward, Warren, Weeks, White, Williams and Younce.

—58

Nays: Messrs.: Greer, Hill, Johnstone and Whatley.

—4

AMENDMENT OFFERED

Mr. Reed offered the following amendment to the bill, H. 47 as amended:

Amend Section 8(d), which relates to allocations to various boards of education for the repair of burned or destroyed public school buildings as follows:

On page 17, immediately following line 26, insert the following additional language:

- | | |
|---|-----------|
| 14. Macon County Tuskegee Public School | \$100,000 |
| 15. Bullock County Merit Junior High School | 100,000 |

Also, on page 17, line 7, delete the words and figures "Two million five hundred thousand (\$2,500,000) and insert in lieu thereof:

Two million seven hundred thousand (\$2,700,000)

AMENDMENT LOST

And the amendment was lost.

Yeas 11; Nays 23.

Yeas:

Messrs.: Armstrong, Buskey, Holley, Holmes (A), Johnstone, Kennedy, Langford, McNees, Reed, Robertson and Shoemaker.

—11

Nays:

Mr. Speaker, Albright, Andrews, Biddle, Campbell, Carothers, Cross, Falkenburg, Gafford, Glass, Greer, Kelley, Kinsey, Leonard, Lutz, McCulley, McMillan, Manley, Mitchem, Sasser, Smith (C), Starkey and Weeks.

—23

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Mitchem offered the following amendment to the bill, H. 47 as amended:

On pages 15, line 19, after the word "Col." add the following:

(Any proceeds allocated to this junior college may be used to redeem or repay presently outstanding debts or bonds issued or incurred for the purpose or providing educational or dormitory facilities for the junior college.)

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Campbell, Carothers, Carter, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Holley, Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—72

AMENDMENT OFFERED

Mr. Callahan offered the following amendment to the bill, H. 47 as amended:

Amend house bill 47 on page 16, line 27 by striking out the period and inserting in lieu thereof the following: " , provided, however, that each city and county school district to be eligible for said dollars must match the amount designated with an equal amount of dollars drawn from local tax revenues."

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Callahan to the bill, H. 47 as amended, was tabled.

Yeas 66; Nays 15.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Linsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Ray, Rich, Sasser, Shelton, Shoemaker, Smith (B), Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Younce.

—66

Nays:

Messrs.: Barron, Buskey, Callahan, Cooper, Glass, Holmes (A), Johnstone, Kennedy, Roberts, Robertson, Sandusky, Sonnier, Waggoner, White and Wyatt.

—15

AMENDMENT OFFERED

Messrs. Killian and Drake offered the following amendment to the bill, H. 47 as amended:

On page 1, lines 30-31, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred thousand dollars (\$219,100,000)

On page 4, lines 19-20, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred thousand dollars (\$219,100,000)

On page 17, line 7, strike the words and figures "Two million five hundred thousand (\$2,500,000)" and insert in lieu thereof the following:

Two million six hundred thousand dollars (\$2,600,000)

On page 17, in subsection (d), after line 25, insert the following item:

14. Fort Payne City 100,000

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Messrs. Killian and Drake to the bill, H. 47 as amended, was tabled.

Yeas 61; Nays 11.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Biddle, Buskey, Carothers, Clark, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Ford, Glass, Greer, Harris, Hill, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Kelley, Kennedy, Kinsey, Leonard, Lockett, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Rich, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Taylor, Thomas, Towns, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams, Wyatt and Younce.

—61

Nays:

Messrs.: Albright, Drake, Goodwin, Hall, Hines, Holmes (A), Johnstone, Killian, McNair, Robertson and Starkey.

—11

AMENDMENT OFFERED

Mr. Robertson offered the following amendment to the bill, H. 47 as amended:

Amend H. B. 47 on p. 17, line 26, and renumber all other lines accordingly:

Tuscaloosa Co. Northport Elementary School (Replacement)
\$300,000.00

This amendment will increase the total amount of the bond issue accordingly.

AMENDMENT TABLED

On motion of Mr. Mitchem, the amendment offered by Mr. Robertson to the bill, H. 47 as amended, was tabled.

Yeas 44; Nays 19.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Buskey, Campbell, Carothers, Coburn, Cooper, Cross, Gafford, Goodwin, Greer, Harris, Hill, Holley, Holmes (D), Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Leonard, Lockett, Lutz, McCulley, Merrill, Mitchem, Pegues, Riddick, Roberts, Shelton, Shoemaker, Smith (B), Starkey, Towns, Warren, Weeks, White, Williams, Wyatt and Younce.

—44

Nays:

Messrs.: Andrews, Clark, Drake, Holmes (A), Howard, Johnson, Lee, McCluskey, McNees, Manley, Martin, Naramore, Owens, Plaster, Robertson, Sasser, Smith (C), Sparks and Thomas.

—19

AMENDMENT OFFERED

Mr. Lutz offered the following amendment to the bill, H. 47 as amended:

Amend H. 47, Page 16, subsection (c) (1) after the word and figure "education." by inserting the following:

Provided, however, all of the money appropriated in this subsection for the Madison County School System shall be allocated and appropriated for renovation and improvement of the New Market School.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Ford, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, Williams, Wyatt and Younce.

—69

AMENDMENT OFFERED

Mr. McCluskey offered the following amendment to the bill, H. 47 as amended:

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Amend Section 8(d), which relates to allocations to various boards of education for the repair of burned or destroyed public school buildings as follows:

On page 17, immediately following line 26, insert the following additional language:

14. Coosa County Board of Education

Kellyton School\$150,000

Also, on page 17, line 7, delete the words and figures "Two million five hundred thousand (\$2,500,000) and insert in lieu thereof:

Two million six hundred and fifty thousand (2,650,000)

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. McCluskey to the bill, H. 47 as amended, was tabled.

Yeas 57; Nays 14.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Campbell, Carothers, Clark, Cooper, Crawford, Cross, Dial, Falkenburg, Ford, Glass, Goodwin, Hall, Holley, Holmes (D), Jackson (F), Jackson (R), Jolly, Kelley, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Owens, Pegues, Quarles, Riddick, Roberts, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—57

Nays:

Messrs.: Andrews, Hopping, Johnson, Johnstone, Killian, McCluskey, McNair, McNees, Moore (O), Morris, Naramore, Robertson, Smith (J), and Thomas.

—14

AMENDMENT OFFERED

Mr. Sandusky offered the following amendment to the bill, H. 47 as amended:

Amend House Bill 47 on page 16, line 26 by striking out "One hundred thousand dollars (\$100,000.00) shall be paid to each city and county board of education.", and inserting in lieu thereof the following:

"Thirteen million dollars (\$13,000,000.00) shall be allocated and distributed to city and county boards of education, pro rata, on the basis of teacher units as determined in accordance with the minimum school program for the school year 1976-77, provided, however, that no city or county board of education shall receive less than fifty thousand dollars (\$50,000.00).

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Sandusky to the bill, H. 47 as amended, was tabled.

Yeas 71; Nays 14.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg,

Ford, Gafford, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Jackson (F), Johnson, Jolly, Kelley, Killian, Langford, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Ray, Rich, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sparks, Starkey, Thomas, Towns, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White and Williams.

—71

Nays:

Messrs.: Andrews, Barron, Buskey, Callahan, Cooper, Glass, Hall, Kennedy, Leonard, Robertson, Sandusky, Sonnier, Wyatt and Younce.

—14

AMENDMENT OFFERED

Mr. Smith (J) offered the following amendment to the bill, H. 47 as amended:

On page 1, lines 30-31, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred thousand dollars (\$219,100,000)

On page 4, lines 19-20, strike the words and figures "two hundred and nineteen million dollars (\$219,000,000)" and insert in lieu thereof the following:

two hundred and nineteen million one hundred thousand dollars (\$219,100,000)

On page 17, line 7, strike the words and figures "Two million five hundred thousand (\$2,500,000)" and insert in lieu thereof the following:

Two million six hundred thousand (2,600,000)

On page 17, in subsection (d), after line 25, insert the following item:

14. Geneva County100,000

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Smith (J) to the bill, H. 47 as amended, was tabled.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Buskey, Campbell, Clark, Cooper, Crawford, Cross, Dial, Drake, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Jolly, Kelley, Killian, Langford, Leonard, Lockett, Lutz, McCulley, McNees, Manley, Merrill, Mitchem, Morris, Naramore, Pegues, Plaster, Ray, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—69

Nay: Mr. Robertson.

—1

AMENDMENT OFFERED

Mr. Reed offered the following amendment to the bill, H. 47 as amended:

Amend Section 8(d), which relates to allocations to various boards of education for the repair of burned or destroyed public school buildings as follows:

On page 17, immediately following line 26, insert the following additional language:

14. Macon County Tuskegee Public School\$100,000

15. Bullock County Merit Junior High School 100,000

Also, on page 17, line 7, delete the words and figures "Two million five hundred thousand (\$2,500,000) and insert in lieu thereof:

Two million seven hundred thousand (2,700,000)

MOTION TO TABLE LOST

The motion offered by Mr. Mitchem to table the amendment offered by Mr. Reed to the bill, H. 47 as amended, was lost.

Yeas 30; Nays 34.

Yeas:

Messrs.: Barron, Campbell, Cross, Ford, Hall, Harris, Hill, Hilliard, Holmes (D), Jackson (F), Johnson, Jolly, Kelley, Lockett, Manley, Martin, Mitchem, Pegues, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (C), Sonnier, Thomas, Towns, Weeks, Wyatt and Younce.

—30

Nays:

Messrs.: Andrews, Armstrong, Buskey, Callahan, Carter, Cooper, Dial, Drake, Edwards, Glass, Greer, Holley, Howard, Jackson (R), Kennedy, Killian, Langford, Leonard, McCluskey, McNair, McNees, Merrill, Moore (O), Morris, Naramore, Plaster, Quarles, Robertson, Shoemaker, Smith (J), Sparks, Starkey, Trammell and Whatley.

—34

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Reed to the bill, H. 47 as amended, and the amendment was adopted.

Yeas 52; Nays 12.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Buskey, Carter, Clark, Cooper, Crawford, Cross, Dial, Drake, Edwards, Gafford, Glass, Greer, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Killian, Langford, Leonard, McCluskey, McNair, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Plaster, Quarles, Reed, Roberts, Robertson, Shoemaker, Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell and Ward.

—52

Nays:

Messrs.: Barron, Holmes (D), Kelley, Manley, Riddick, Sasser, Shelton, Smith (B), Towns, Weeks, Wyatt and Younce.

—12

AMENDMENT OFFERED

Mr. Carothers offered the following amendment to the bill, H. 47 as amended:

Amend H. B. 47 on Page 18, line 20 by deleting "Department of Agriculture" and adding in lieu thereof "Alabama Co-operative Extension Service".

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Buskey, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Ford, Gafford, Glass, Goodwin, Greer, Hall, Hilliard, Holley, Holmes (D), Jackson (F), Jackson (R), Johnson, Kelley, Killian, Leonard, Lockett, Lutz, McNair, McNees, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Waggoner, Ward, Warren, White and Williams.

—62

AMENDMENT OFFERED

Mr. Venable offered the following amendment to the bill, H. 47 as amended:

Wherever the total amount of the bond issue appears increase the words and figures by \$50,000.

On page 14 lines 37 and 38 increase the total for junior colleges and trade schools by \$50,000.

On page 16 line 16 strike the figure "395,149" and insert the figure "445,149"

AMENDMENT TABLED

On motion of Mr. McCorquodale, the amendment offered by Mr. Venable to the bill, H. 47 as amended, was tabled.

Yeas 38; Nays 16.

Yeas:

Mr. Speaker, Andrews, Cooper, Crawford, Crowe, Ford, Gafford, Gregg, Hall, Harris, Holmes (D), Hopping, Jackson (F), Jackson (R), Kelley, Killian, Leonard, McCulley, Manley, Martin, Merrill, Mitchem, Naramore, Owens, Pegues, Roberts, Shoemaker, Smith (B), Sonnier, Starkey, Thomas, Ward, Weeks, Whatley, White, Williams, Wyatt and Younce.

—38

Nays:

Messrs.: Albright, Armstrong, Drake, Johnstone, Langford, McNees, Morris, Plaster, Riddick, Shelton, Smith (C), Smith (J), Smith (M), Sparks, Turnham and Venable.

—16

3rd Day

MOTION TO POSTPONE TABLED

On motion of Mr. McCorquodale, the motion offered by Mr. Cates to postpone further consideration of the bill, H. 47 as amended, to the sixth legislative day, was tabled.

Yeas 72; Nays 8.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Leonard, Lutz, McCluskey, McCulley, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—72

Nays:

Messrs.: Barron, Campbell, Cates, Hall, Holley, Johnstone, Moore (W) and Wyatt.

—8

AMENDMENT OFFERED

Mr. Cates offered the following amendment to the bill, H. 47 as amended:

On page 5, line 17, strike the word "thirty" and insert in lieu thereof: twenty

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—92

AMENDMENT OFFERED

Mr. Johnson offered the following amendment to the bill, H. 47 as amended:

Amend H. B. 47 on p. 17, line 26 by adding the following language:

Tuscaloosa County Board of Education—Replacement of Northport Elementary School—\$200,000.00

This amount will increase the total amount of the Bond issue and all figures should be adjusted accordingly.

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Johnson to the bill, H. 47 as amended, was tabled.

Yeas 39; Nays 23.

Yeas:

Messrs.: Albright, Barron, Carter, Coburn, Crawford, Cross, Dial, Ford, Goodwin, Gregg, Hill, Holmes (D), Jackson (F), Jackson (R), Jolly, Kelley, Leonard, Lockett, Lutz, McCulley, Manley, Merrill, Mitchem, Moore (W), Ray, Riddick, Roberts, Sasser, Sonnier, Starkey, Towns, Turnham, Venable, Warren, Weeks, White, Williams, Wyatt and Younce.

—39

Nays:

Messrs.: Andrews, Clark, Drake, Edwards, Falkenburg, Glass, Greer, Holley, Hopping, Howard, Johnson, Johnstone, Lee, McNair, McNees, Martin, Naramore, Reed, Robertson, Smith (C), Sparks, Thomas and Whatley.

—23

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Holmes (D) added as co-sponsor to the bill, H. 47.

And the bill:

H. 47. To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million dollars (\$220,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

3rd Day

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 6.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong Baker, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—91

Nays:

Messrs.: Barron, Campbell, Hall, Harrison, Langford and Wyatt.

—6

CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 47.

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

And the bill:

H. 37. (With Substitute): To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Section 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 40, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Fund Sources Included
In Appropriation Total

| | Trust Funds | Total |
|--|----------------|-------|
|--|----------------|-------|

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

| | | |
|-----------------------------|--|---------|
| (a) Fine Arts Program | | 914,098 |
|-----------------------------|--|---------|

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SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 300,000 | | |
| (2) Federal and Local Funds | | 614,098 | |
| Total Council on the Arts and Humanities | 300,000 | 614,098 | 914,098 |

2. Debt Service 871,044

(a) For the payment of principal
and interest due on bonds issued
by the University of Alabama
Research - Institute pursuant to
Constitutional Amendment No.
CLVII 211,300

(b) Interest on Endowments:

For interest on University of
Montevallo (Alabama College)
Endowment, Estimated 45,000

For interest on Auburn University
Endowment 20,280

For interest on University of Ala-
bama Endowment 61,000

For interest on Grove Hill Endow-
ment 600

For interest on Public School Fund
Endowment:

Interest on 16th Section lands,
Estimated 410,000

Interest on School Indemnity lands,
Estimated 90,000

Interest on Valuable 16th Section
lands 5,825

Interest on Surplus plus
Revenue 26,764

Interest on James Wallace
Fund 275

Total 659,744

SOURCE OF FUNDS:

| | | |
|--------------------------|---------|---------|
| (1) ASETF | 871,044 | |
| Total Debt Service | 871,044 | 871,044 |

3. Board of Dental Scholarship
Awards

(a) Support of Other Educational
Activities Program 228,000

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 228,000 | |
| Total Board of Dental Scholarship Awards | 228,000 | 228,000 |

(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

4. Department of Education

| | |
|-------------------------------------|-------------|
| (a) Financial Assistance Program .. | 227,074,395 |
|-------------------------------------|-------------|

The proposed spending plan for the above is as follows:

Vocational Education and Other Financial Assistance Programs 48,503,717

(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

| | | | |
|--|------------|-------------|-------------|
| (1) ASETF | 48,503,717 | | |
| (2) Federal and Local Funds | | 178,570,678 | |
| Total Financial Assistance Program | 48,503,717 | 178,570,678 | 227,074,395 |

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

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(b) Instructional Technical Assistance Program 7,231,665

The proposed spending plan for the above is as follows:

| | |
|---|-----------|
| Civil Defense | 24,200 |
| Drug Education | 181,500 |
| Operation & Maintenance of Department | 331,681 |
| Right-to-Read | 85,000 |
| Career Education | 110,000 |
| Kindergarten Adm. | 85,000 |
| Minimum Program - Trainable Retarded Children | 524,307 |
| National Defense | 399,300 |
| Vocational Education | 1,466,673 |
| Alabama Learning Resource Center | 60,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 3,267,661 | | |
| (2) Federal & Local Funds | | 3,964,004 | |
| Total Instructional Technical Assistance Program | 3,267,661 | 3,964,004 | 7,231,665 |

(The appropriation for Minimum Program - Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program 11,182,190

The proposed spending plan for the above is as follows:

| | |
|--|---------|
| Coordination of In-School Television | 127,201 |
| Driver Education, School Bus Driver Training and Vehicle Safety Inspection | 371,289 |
| Operation & Maintenance of Department | 337,490 |
| Testing | 425,000 |
| Developing, Printing and Publishing Legal & Policy Manuals | 5,000 |

Free Textbooks 8,602,500

Plans & Surveys 90,150

Facilities Survey 300,000

SOURCE OF FUNDS:

(1) ASETF 10,258,630

(2) Federal and Local Funds 923,560

| | | | |
|--|------------|---------|------------|
| Total Local Agency Support Program | 10,258,630 | 923,560 | 11,182,190 |
|--|------------|---------|------------|

(d) Regulation Program 879,432

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 349,199

Teacher Certification & Accreditation 237,000

SOURCE OF FUNDS:

(1) ASETF 586,199

(2) Federal and Local Funds 293,233

| | | | |
|--------------------------------|---------|---------|---------|
| Total Regulation Program | 586,199 | 293,233 | 879,432 |
|--------------------------------|---------|---------|---------|

(e) Administrative Services Program 8,478,141

The proposed spending plan for the above is as follows:

Compact for Education 20,750

Operation & Maintenance of Department 1,600,043

Telephone Revolving Fund 1,200,000

SOURCE OF FUNDS:

(1) ASETF 2,820,793

(2) Federal and Local Funds 5,657,348

| | | | |
|---|-----------|-----------|-----------|
| Total Administrative Services Program | 2,820,793 | 5,657,348 | 8,478,141 |
|---|-----------|-----------|-----------|

(f) Adult Basic Education Program 5,660,599

The proposed spending plan for the above is as follows:

Adult Basic Education 1,700,000

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Community Education 100,000

Operation & Maintenance of De-
partment 15,052

SOURCE OF FUNDS:

(1) ASETF 1,815,052

(2) Federal and Local Funds 3,845,547

| | | | |
|--|-----------|-----------|-----------|
| Total Adult Basic Education Pro- gram | 1,815,052 | 3,845,547 | |
| | | | 5,660,599 |

| | | | |
|----------------------------------|--|--|---------|
| (g) Continuing Education Program | | | 777,323 |
|----------------------------------|--|--|---------|

The proposed spending plan for the
above is as follows:

Operations & Maintenance of De-
partment 20,862

Administration of Private School
Act 49,500

SOURCE OF FUNDS:

(1) ASETF 70,362

(2) Federal and Local Funds 706,961

| | | | |
|---|--------|---------|---------|
| Total Continuing Education Pro- gram | 70,362 | 706,961 | |
| | | | 777,323 |

| | | | |
|---|--|--|-------|
| (h) Administration of Post-Second- ary Vocational-Technical Educa- tion Program | | | 9,243 |
|---|--|--|-------|

The proposed spending plan for the
above is as follows:

Operations & Maintenance of
Dept. 9,243

SOURCE OF FUNDS:

(1) ASETF 9,243

| | | | |
|---|-------|--|-------|
| Total Admin. of Post-Secondary Vocational-Technical Education Program | 9,243 | | 9,243 |
| | | | |

| | | | |
|---|--|--|-------|
| (i) Administration of Junior Col- lege School System Program | | | 9,243 |
|---|--|--|-------|

The proposed spending plan for the
above is as follows:

Operations & Maintenance of De-
partment 9,243

SOURCE OF FUNDS:

| | | |
|---|-------|------------|
| (1) ASETF | 9,243 | |
| Total Adm. of Junior College School System Program | 9,243 | 9,243 |
| (j) Rehabilitation Services Pro- gram | | 32,839,711 |

SOURCE OF FUNDS:

| | | |
|--|-----------|------------|
| (1) ASETF | 7,097,000 | |
| (2) Federal and Local Funds | | 25,742,711 |
| Total Rehabilitation Services Pro- gram | 7,097,000 | 25,742,711 |
| | | 32,839,711 |

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

| | | |
|------------------------------|--|---------|
| (k) Hemophilia Program | | 300,000 |
|------------------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF | 300,000 | |
| Total Hemophilia Program | 300,000 | 300,000 |

(As provided for under Act 1181, 1975 Regular Session.)

| | | |
|-----------------------------|--|-----------|
| (1) Homebound Program | | 2,900,000 |
|-----------------------------|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------------|-----------|-----------|
| (1) ASETF | 2,900,000 | |
| Total Homebound Program | 2,900,000 | 2,900,000 |

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

| | | |
|---|--|-----------|
| (m) Disability Determination for Social Security Program | | 7,549,812 |
|---|--|-----------|

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) Federal and Local Funds | 7,549,812 | |
| Total Disability Determination for Social Security Program | 7,549,812 | 7,549,812 |

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| | |
|--|-----------|
| (n) Crippled Children Services Program | 7,066,190 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 4,303,690 | |
| (2) Federal and Local Funds | | 2,762,500 |
| Total Crippled Children Services Program | 4,303,690 | 2,762,500 |
| | | 7,066,190 |

\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

| | |
|---|-----------|
| (o) Manpower Development and Employment | 5,894,844 |
|---|-----------|

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 17,958

Comprehensive Employment & Training 484,000

SOURCE OF FUNDS:

| | | |
|---|---------|-----------|
| (1) ASETF | 501,958 | |
| (2) Federal and Local Funds | | 5,392,886 |
| Total Manpower Development and Employment Opportunities Program | 501,958 | 5,392,886 |
| | | 5,894,844 |

| | |
|--|---------|
| (p) Planning and Coordination Services Program | 181,826 |
|--|---------|

The proposed spending plan for the above is as follows:

Southern Regional Educational Board 181,826

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 181,826 | |
| Total Planning & Coordination Services Program | 181,826 | 181,826 |

| | |
|---|--------|
| (q) Support of State Universities Program | 10,000 |
|---|--------|

The proposed spending plan for the above is as follows:

Education of Dependents of Blind
Parents 10,000

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 10,000 | |
| Total Support of State Universities Program | 10,000 | 10,000 |

For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

| | | |
|---|--|-----------|
| (r) Emergency Medical Services Education Program | | 1,500,000 |
|---|--|-----------|

To be distributed by the Depart-
ment of Education as follows:

| | |
|--|---------|
| (1) West Alabama Emergency Medical Services, Inc. | 307,000 |
| (2) Birmingham Regional Emer- gency Medical Services System .. | 292,000 |
| (3) North Alabama Emergency Medical Services, Inc. | 277,000 |
| (4) Southeast Alabama Emergency Medical Services Systems, Inc. .. | 277,000 |
| (5) East Alabama Emergency Medical Services, Inc. | 227,000 |
| (6) Southwest Alabama Emergency Medical Services Council, Inc. .. | 120,000 |

The amounts herein appropriated
shall be used for the operation
and maintenance of the various
medical services programs named
and for the purchase of instruc-
tional supplies and new instruc-
tional equipment for such pro-
grams.

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 1,500,000 | |
| Total Emergency Medical Service Education Program | 1,500,000 | 1,500,000 |

**TOTAL DEPARTMENT OF
EDUCATION**

SOURCE OF FUNDS:

| | | | |
|---|------------|-------------|-------------|
| (1) ASETF | 84,135,374 | | |
| (2) Federal and Local Funds | | 235,409,240 | |
| Grand Total Department of Education | 84,135,374 | 235,409,240 | 319,544,614 |

5. Examiners of Public Accounts

| | | | |
|--|--|--|-----------|
| (a) Legislative Support-Audit Services Program | | | 1,000,000 |
|--|--|--|-----------|

For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

| | | | |
|--|-----------|--|-----------|
| (1) ASETF | 1,000,000 | | |
| Total Examiners of Public Accounts | 1,000,000 | | 1,000,000 |

6. Alabama Film Commission

| | | | |
|---|--|--|--------|
| (a) Promotional Development Program | | | 70,000 |
|---|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 70,000 | | |
| Total Alabama Film Commission .. | 70,000 | | 70,000 |

7. Alabama School of Fine Arts

| | | | |
|-----------------------------|--|--|---------|
| (a) Fine Arts Program | | | 591,855 |
|-----------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--------|---------|
| (1) ASETF | 500,000 | | |
| (2) Federal and Local Funds | | 91,855 | |
| Total Alabama School of Fine Arts | 500,000 | 91,855 | 591,855 |

8. Alabama Firefighters' Personnel Standards and Education Commission

| | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing & Regulation Program | | | 150,000 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 150,000 | | |
| Total Alabama Firefighters' Personnel Standards and Education Commission | 150,000 | | 150,000 |

9. Health Department

| | |
|---|---------|
| (a) Health Support Services Program | 500,000 |
|---|---------|

For immunization of pre-school children and students and for public school food sanitation.

| | |
|---|---------|
| (b) For the Division of Maternal and Child Health | 200,000 |
|---|---------|

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

SOURCE OF FUNDS:

| | | |
|-------------------------------|----------------|----------------|
| (1) ASETF | 700,000 | |
| Total Health Department | <u>700,000</u> | <u>700,000</u> |

10. Commission on Higher Education

| | |
|--|---------|
| (a) Planning & Coordination Services Program | 462,430 |
|--|---------|

| | |
|---|-----------|
| (b) Support of Other Educational Activities Program | 2,538,800 |
|---|-----------|

SOURCE OF FUNDS:

| | | | |
|--|------------------|------------------|------------------|
| (1) ASETF | 1,725,400 | | |
| (2) Federal and Local Funds | | <u>1,275,830</u> | |
| Total Commission on Higher Education | <u>1,725,400</u> | <u>1,275,830</u> | <u>3,001,230</u> |

No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

| | |
|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | 542,891 |
|--|---------|

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SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses | 57,000 | | |
| (2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended | | 485,891 | |
| Total Alabama Board of Nursing | 57,000 | 485,891 | 542,891 |

12. Alabama Historical Commission

| | | | |
|--|--|--|---------|
| (a) Historical Resource Management Program | | | 100,000 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 100,000 | | |
| Total Alabama Historical Commission | 100,000 | | 100,000 |

13. Alabama Industrial Development Training Institute

| | | | |
|------------------------------------|--|--|-----------|
| (a) Industrial Training Program .. | | | 1,885,752 |
|------------------------------------|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|--|-----------|
| (1) ASETF | 1,885,752 | | |
| Total Alabama Industrial Development Training Inst. | 1,885,752 | | 1,885,752 |

14. Junior College School System

| | | | |
|--|--|--|------------|
| (a) Academic Instruction and Institutional Support Program | | | 67,848,063 |
|--|--|--|------------|

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 39,550,000 | | |
| (2) Federal and Local Funds | | 9,050,476 | |
| (3) State Funds | | 245,787 | |
| (4) Other Funds | | 19,001,800 | |
| Total Junior College School System | 39,550,000 | 28,298,063 | 67,848,063 |

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing

education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

15. Alabama Law Institute

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 199,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 199,000 | |
| Total Alabama Law Institute | 199,000 | 199,000 |

16. Legislature

| | |
|--|-----------|
| (a) Legislative Operations & Support Program | 1,000,000 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------|-----------|-----------|
| (1) ASETF | 1,000,000 | |
| Total Legislature | 1,000,000 | 1,000,000 |

17. Public Library Service

| | |
|---|-----------|
| (a) Public Library Services Program | 3,782,066 |
|---|-----------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-----------|
| (1) ASETF | 2,750,000 | |
| (2) Federal & Local Funds | 1,032,066 | |
| Total Public Library Service | 2,750,000 | 3,782,066 |

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18. Marine Environmental Sciences Consortium

(a) Support of other Educational Activities Program 778,750

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 568,750 | | |
| (2) Federal and Local Funds | | 60,000 | |
| (3) University of Alabama | | 150,000 | |
| | | | |
| Total Marine Environmental Sciences Consortium | 568,750 | 210,000 | 778,750 |
| | | | |

19. Medical Scholarships Board

(a) Support of other Educational Activities Program 555,000

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|---------|--|---------|
| (1) ASETF | 555,000 | | |
| | | | |
| Total Medical Scholarship Board | 555,000 | | 555,000 |
| | | | |

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program

(a) Financial Assistance Program .. 581,236,819

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-------------|------------|-------------|
| (1) ASETF | 556,560,334 | | |
| (2) Public School Fund | | 20,000,000 | |
| (3) Local Effort | | 4,676,485 | |
| | | | |
| Total Minimum Program Fund | 556,560,334 | 24,676,485 | 581,236,819 |
| | | | |

(aa) To be distributed by the State Board of Education for:

| | |
|---|-------------|
| Local Boards | 484,910,244 |
| Board of Adjustment Awards | 150,000 |
| Teachers Sick Leave | 3,890,178 |
| Teachers Personal Leave | 1,296,726 |
| Hospital-Medical Insurance Assistance | 9,427,961 |
| Funds to Replace Fees | 10,488,255 |
| Maintenance | 6,000,000 |

| | |
|---|------------|
| Sick Leave for Support Personnel .. | 800,000 |
| Additional for Special Education .. | 25,550,000 |
| Salary Increases for Lunchroom Workers | 7,747,000 |
| Insurance for Support Staff | 6,300,000 |

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P.L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category

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shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purpose for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school. With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such

fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan (s) and the carrier (s) of the hospital-medical

insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in subsection (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

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It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificates. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hour worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

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21. Alabama Occupational Information System

(a) Employment and Social Opportunities Program 590,051

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 200,000 | | |
| (2) Federal and Local Funds | | 390,051 | |
| | | | |
| Total Alabama Occupational Information System | 200,000 | 390,051 | 590,051 |
| | | | |

2. Alabama Peace Officers Standards and Training Commission

(a) Professional and Occupational Licensing and Regulation Program 80,000

(b) Certified Law Enforcement Academy Programs 256,200

Jacksonville State University 61,550

University of Alabama 61,550

James H. Faulkner Jr. Col. 61,550

Troy State Univ. Montgomery 61,550

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 326,200 | | |
| | | | |
| Total Alabama Peace Officers Standards and Training Commission | 326,200 | | 326,200 |
| | | | |

23. Commission on Physical Fitness

(a) Advisory Services Program 83,000

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 83,000 | | |
| | | | |
| Total Commission on Physical Fitness | 83,000 | | 83,000 |
| | | | |

24. Post - Secondary Vocational - Technical Education System

(a) Instructional and Institutional Support Program 45,972,443

SOURCE OF FUNDS:

(1) ASETF 32,451,521

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| | | | |
|--|------------|------------|------------|
| (2) Federal and Local Funds | | 815,457 | |
| (3) Other Funds | | 12,705,465 | |
| Total Post-Secondary Vocational- Technical Education System | 32,451,521 | 13,520,922 | 45,972,443 |

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division (7) Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas McArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978 in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule For Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10) years shall be placed no lower than Rank III, Step 10 of the schedule; and those employed for at least four (4) years but less than seven (7) years shall be placed no lower than Rank II, Step 10, of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove.

25. Social Security

(a) For State's share of Social
Security, Estimated

47,249,440

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SOURCE OF FUNDS:

| | | |
|-----------------------------|-------------------|-------------------|
| (1) ASETF | 47,249,440 | |
| Total Social Security | <u>47,249,440</u> | <u>47,249,440</u> |

26. Sports Hall of Fame

| | | |
|---|--|--------|
| (a) Historical Resources Management Program | | 51,894 |
|---|--|--------|

SOURCE OF FUNDS:

| | | | |
|--|---------------|---------------|---------------|
| (1) ASETF | 30,000 | | |
| (2) Sports Hall of Fame Operating Fund | | 21,894 | |
| Total Sports Hall of Fame | <u>30,000</u> | <u>21,894</u> | <u>51,894</u> |

27. Alabama Education Study Commission

| | | |
|-------------------------------------|--|---------|
| (a) Advisory Services Program | | 210,000 |
|-------------------------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 210,000 | |
| Total Alabama Education Study Commission | <u>210,000</u> | <u>210,000</u> |

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

| | | |
|---|--|-------------|
| (a) Retirement Systems Program, Estimated | | 142,396,640 |
|---|--|-------------|

SOURCE OF FUNDS:

| | | |
|--|--------------------|--------------------|
| (1) ASETF - Teachers' Retirement System | 140,297,462 | |
| (2) ASETF - Teachers' Special Pension Fund | 2,099,178 | |
| Total Retirement Systems Program (State's Share) | <u>142,396,640</u> | <u>142,396,640</u> |

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only

after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program 10,000

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------------|---------------|
| (1) ASETF | 10,000 | |
| Total State Tenure Commission ... | <u>10,000</u> | <u>10,000</u> |

30. Educational TV Commission

(a) Educational TV Services Program 2,885,500

(b) Public Radio Service Program 195,000

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|------------------|----------------|------------------|
| (1) ASETF | 2,205,500 | | |
| (2) Federal and Local Funds | | 875,000 | |
| Total Educational TV Commission | <u>2,205,500</u> | <u>875,000</u> | <u>3,080,500</u> |

31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program 1,350,000

SOURCE OF FUNDS:

| | | |
|--------------------------------------|------------------|------------------|
| (1) ASETF | 1,350,000 | |
| Total Veterans Education Benefits .. | <u>1,350,000</u> | <u>1,350,000</u> |

The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program 1,000

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SOURCE OF FUNDS:

| | | |
|---|-------|-------|
| (1) ASETF | 1,000 | |
| Total John M. Will Journalism Scholarship Fund | 1,000 | 1,000 |

33. Youth Services

| | |
|----------------------------------|-----------|
| (a) Youth Services Program | 8,906,171 |
|----------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|-----------|-----------|
| (1) ASETF | 7,221,171 | |
| (2) Federal and Local Funds | 1,685,000 | |
| Total Youth Services | 7,221,171 | 1,685,000 |
| | | 8,906,171 |

(To be expended in accordance with
Act No. 816, 1973 Regular Ses-
sion.)

"Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers shall receive salary increases as follows: Teachers holding Rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase."

SECTION 4.

B. NON-STATE EDUCATIONAL
AGENCIES:

| | |
|--|--------|
| 1. American Legion Auxiliary Scholarship Fund | 10,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF | 10,000 | |
| Total American Legion Auxiliary Scholarship Fund | 10,000 | 10,000 |

(To be expended under the pro-
visions of Act No. 676, 1978 Reg-
ular Session.)

2. Birmingham Symphony

| | |
|-----------------------------|--------|
| (a) Fine Arts Program | 95,000 |
|-----------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---------------------------------|--------|--------|
| (1) ASETF | 95,000 | |
| Total Birmingham Symphony | 95,000 | 95,000 |

3. Birmingham Training Center for
Brain Injured Children

| | |
|---|--------|
| (a) Non - Institutional Treatment and Care Program | 30,000 |
|---|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 30,000 |
|-----------------|--------|

| | | |
|--|--------|--------|
| Total Birmingham Training Center for Brain Injured Children | 30,000 | 30,000 |
|--|--------|--------|

4. East Alabama Regional Child
Development Program

| | |
|-------------------------------------|---------|
| (a) Financial Assistance Program .. | 580,373 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 525,000 |
|-----------------|---------|

| | |
|-----------------------------------|--------|
| (2) Federal and Local Funds | 55,373 |
|-----------------------------------|--------|

| | | | |
|--|---------|--------|---------|
| Total East Alabama Regional Child Development Program | 525,000 | 55,373 | 580,373 |
|--|---------|--------|---------|

Of the above appropriation the
counties of Limestone, Jackson,
Madison and Marshal shall re-
ceive \$25,000 each.

5. Environmental Quality Associa-
tion

| | |
|---|---------|
| (a) Enironmental Education Pro- gram | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 175,000 |
|-----------------|---------|

| | | |
|--|---------|---------|
| Total Environmental Quality Asso- ciation | 175,000 | 175,000 |
|--|---------|---------|

6. Montgomery Institute for Neu-
rological Development

| | |
|---|--------|
| (a) Non - Institutional Treatment and Care Program | 25,000 |
|---|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 25,000 |
|-----------------|--------|

| | | |
|---|--------|--------|
| Total Montgomery Institute of Neu- rological Development | 25,000 | 25,000 |
|---|--------|--------|

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7. Opportunities Industrialization
Centers

(a) Manpower Development and
Employment Opportunities Pro-
gram _____ 175,000

SOURCE OF FUNDS:

(1) ASETF _____ 175,000

| | | |
|--|---------|---------|
| Total Opportunities Industrializa- tion Centers _____ | 175,000 | 175,000 |
|--|---------|---------|

8. Sylacauga Nurses Training
School

(a) Support of Other Educational
Activities Program _____ 348,984

SOURCE OF FUNDS:

(1) ASETF _____ 58,000

(2) Federal and Local Funds _____ 17,500

(3) Other Funds _____ 273,484

| | | | |
|---|--------|---------|---------|
| Total Sylacauga Nurses Training School _____ | 58,000 | 290,984 | 384,984 |
|---|--------|---------|---------|

(The above includes \$18,000 for
Nursing Scholarships.)
(To be expended in accordance
with Act No. 2393, 1971 Regular
Session.)

9. Hall of Fame Bowl Game:

(a) Tourism and Travel Promotion _____ 50,000

SOURCE OF FUNDS:

(1) ASETF _____ 50,000

| | | |
|------------------------------------|--------|--------|
| Total Hall of Fame Bowl Game _____ | 50,000 | 50,000 |
|------------------------------------|--------|--------|

10. Alabama Shakespeare Festival

(a) Fine Arts Program _____ 2,500

SOURCE OF FUNDS:

(1) ASETF _____ 2,500

| | | |
|--|-------|-------|
| Total Alabama Shakespeare Festival _____ | 2,500 | 2,500 |
|--|-------|-------|

Section 5.

COLLEGES, UNIVERSITIES AND
SCHOOLS

I. Board of Trustees of University
of Alabama

A. The University

1. Operations & Maintenance, Ex-
tension, Public Service & Re-
search:

| | |
|--|------------|
| (a) Instruction | 22,187,787 |
| (b) Transfers | 833,373 |
| (c) Libraries | 1,405,171 |
| (d) Academic Support (excl. Lib.) | 4,511,867 |
| (e) Student Services | 1,558,251 |
| (f) Institutional Support | 6,550,441 |
| (g) Operation & Maintenance of Physical Plant | 5,646,479 |
| (h) Scholarships and Fellowships .. | 648,766 |
| (i) Capital Outlay | 1,095,259 |
| (j) Debt Service | 292,240 |

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 31,323,728 | | |
| (2) Other Sources | | 13,405,906 | |
| Total Operations & Maintenance, Extension, Public Service & Re- search | 31,323,728 | 13,405,906 | 44,729,634 |

2. Extension, Public Service & Re-
search:

| | |
|--------------------------|-----------|
| (a) Research | 133,829 |
| (b) Public Service | 2,665,090 |
| (c) Capital Outlay | 20,720 |
| (d) Debt Service | 57,364 |
| (e) Transfers | 16,594 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,850,000 | | |
| (2) Other Sources | | 1,043,597 | |
| Total Extension, Public Service, and Research | 1,850,000 | 1,043,597 | 2,893,597 |

3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

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| | | |
|--------------------------|---------|--|
| (a) Public Service | 125,000 | |
|--------------------------|---------|--|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 125,000 | |
| Total Emergency Medical Services | 125,000 | 125,000 |

4. Center for Emotionally Disturbed Children:

| | | |
|--|---------|--|
| (a) Academic Support (excl. Libr.) | 472,462 | |
|--|---------|--|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 472,462 | |
| Total Center for Emotionally Disturbed Children | 472,462 | 472,462 |

5. Nursing Scholarships:

| | | |
|--|--------|--|
| (a) Scholarships and Fellowships | 18,000 | |
|--|--------|--|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |

6. School of Mines:

| | | |
|--------------------|---------|--|
| (a) Research | 859,000 | |
|--------------------|---------|--|

| | | |
|--------------------------|---------|--|
| (b) Public Service | 200,000 | |
|--------------------------|---------|--|

SOURCE OF FUNDS:

| | | |
|-----------------------------|-----------|-----------|
| (1) ASETF | 1,059,000 | |
| Total School of Mines | 1,059,000 | 1,059,000 |

7. Family Practice Center:

| | | |
|-----------------------|---------|--|
| (a) Instruction | 312,285 | |
|-----------------------|---------|--|

| | | |
|--|---------|--|
| (b) Academic Support (excl. Libr.) | 429,360 | |
|--|---------|--|

SOURCE OF FUNDS:

| | | |
|------------------------------------|---------|---------|
| (1) ASETF | 741,645 | |
| Total Family Practice Center | 741,645 | 741,645 |

8. Alabama Museum of Natural History-Mound State Park and Archaeological Service:

| | | |
|--------------------------|---------|--|
| (a) Public Service | 182,195 | |
|--------------------------|---------|--|

| | | |
|--------------------------|-------|--|
| (b) Capital Outlay | 6,705 | |
|--------------------------|-------|--|

SOURCE OF FUNDS:

| | | | |
|---|---------|--------|---------|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 38,900 | |
| Total Alabama Museum of Natural History-Mound State Park and Archaeological | 150,000 | 38,900 | 188,900 |

9. College of Community Health
Sciences:

| | | | |
|--|--|-----------|--|
| (a) Instruction | | 1,515,047 | |
| (b) Libraries | | 135,377 | |
| (c) Academic Support (excl. Libr.) | | 409,836 | |
| (d) Operation & Maintenance of Physical Plant | | 169,412 | |
| (e) Capital Outlay | | 30,314 | |

SOURCE OF FUNDS:

| | | | |
|---|-----------|---------|-----------|
| (1) ASETF | 2,154,986 | | |
| (2) Other Sources | | 105,000 | |
| Total College of Community Health Sciences | 2,154,986 | 105,000 | 2,259,986 |

10. Auxiliary Enterprises:

| | | | |
|--------------------------------------|--|------------|--|
| (a) Scholarships & Fellowships | | 421,679 | |
| (b) Capital Outlay | | 37,652 | |
| (c) Auxiliary Enterprises | | 10,517,791 | |
| (d) Debt Service | | 1,457,481 | |
| (e) Transfer to Plant Funds | | 526,900 | |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|--|------------|------------|
| (1) Other Sources | | 12,961,503 | |
| Total Auxiliary Enterprises | | 12,961,503 | 12,961,503 |

11. Restricted Funds:

| | | | |
|--|--|-----------|--|
| (a) Instruction | | 6,310,584 | |
| (b) Research | | 1,120,746 | |
| (c) Public Service | | 934,713 | |
| (d) Academic Support (excl. Libr.) | | 79,116 | |
| (e) Student Services | | 102,883 | |
| (f) Institutional Support | | 308,817 | |

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| | |
|---|---------|
| (g) Operation & Maintenance of Physical Plant | 138,348 |
| (h) Scholarships and Fellowships .. | 795,308 |
| (i) Capital Outlay | 347,637 |

SOURCE OF FUNDS:

| | | |
|------------------------------|-------------------|-------------------|
| (1) State Funds | 3,185,481 | |
| (2) Federal Funds | 5,692,671 | |
| (3) Other Sources | 1,260,000 | |
| Total Restricted Funds | <u>10,138,152</u> | <u>10,138,152</u> |

12. Gadsden Cooperative Upper Division Program:

| | |
|--------------------------|---------|
| (a) Instruction | 267,168 |
| (b) Capital Outlay | 15,992 |

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 193,189 | |
| (2) Other Sources | 89,971 | |
| Total Gadsden Cooperative Upper Division Program | <u>193,189</u> | <u>89,971</u> |
| | | <u>283,160</u> |

| | |
|--|---------|
| 13. Rural Infant Development Environment Program | 125,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 125,000 | |
| Total Rural Infant Development Environment Program | <u>125,000</u> | <u>125,000</u> |

| | | | |
|-----------------------------------|-------------------|-------------------|-------------------|
| TOTAL UNIVERSITY OF ALABAMA | <u>38,213,010</u> | <u>37,783,029</u> | <u>75,996,039</u> |
|-----------------------------------|-------------------|-------------------|-------------------|

B. University of Alabama in Birmingham

1. School of Medicine:

| | |
|------------------------------------|------------|
| (a) Instruction | 14,013,030 |
| (b) Research | 17,975,212 |
| (c) Public Service | 5,638,999 |
| (d) Libraries | 264,132 |
| (e) Academic Support (excl. Libr.) | 1,361,489 |
| (f) Student Services | 401,368 |

| | |
|--|-----------|
| (g) Institutional Support | 2,924,249 |
| (h) Operation & Maintenance of Physical Plant | 3,596,996 |
| (i) Scholarships and Fellowships .. | 115,000 |
| (j) Capital Outlay | 900,000 |
| (k) Equipment-Other than Auto- motive (For Cavitron Laser Machine) | 70,000 |
| (l) Training on Special Cancer De- tection for Rehabilitating for Speech & Hearing Disorders | 45,000 |
| (m) Debt Service | 724,221 |
| (n) Hyperthermia Program | 109,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|------------|------------|
| (1) ASETF | 16,199,000 | | |
| (2) State Funds | | 1,550,000 | |
| (3) Federal Funds | | 22,400,000 | |
| (4) Local Funds | | 550,000 | |
| (5) Other Sources | | 7,439,696 | |
| Total School of Medicine | 16,199,000 | 31,939,696 | 48,138,696 |

2. Family and Other Primary Care
Residency Programs:

| | |
|--|-----------|
| (a) Instruction | 1,723,390 |
| (b) Institutional Support | 18,590 |
| (c) Operation & Maintenance of Physical Plant | 20,020 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|--|-----------|
| (1) ASETF | 1,762,000 | | |
| Total Family and Other Primary Care Residency Programs | 1,762,000 | | 1,762,000 |

The above appropriation shall be
expended for residency programs
as follows:

| | |
|--------------------------|---------|
| Anniston | 230,000 |
| East End | 230,000 |
| Jefferson County | 230,000 |
| Montgomery | 230,000 |
| Montg.-Internal Medicine | 220,000 |

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| | |
|---------------|---------|
| Heflin | 50,000 |
| Selma | 342,000 |
| Gadsden | 230,000 |

3. University College:

| | |
|--|------------|
| (a) Instruction | 10,763,800 |
| (b) Research | 453,100 |
| (c) Public Service | 1,061,300 |
| (d) Libraries | 1,357,200 |
| (e) Academic Support (excl. Lib.) | 2,467,492 |
| (f) Student Services | 903,284 |
| (g) Institutional Support | 2,248,924 |
| (h) Operation & Maintenance of Physical Plant | 1,675,854 |
| (i) Scholarships and Fellowships .. | 120,000 |
| (j) Capital Outlay | 400,000 |
| (k) For Vocational Teacher Train- ing | 125,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|-----------|------------|
| (1) ASETF | 13,452,764 | | |
| (2) Federal Funds | | 382,821 | |
| (3) Local Funds | | 656,903 | |
| (4) Other Sources | | 7,083,466 | |
| Total University College | 13,452,764 | 8,123,190 | 21,575,954 |

4. University Hospital and Clinics:

| | |
|------------------------|------------|
| (a) Hospital | 81,914,088 |
| (b) Debt Service | 2,798,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|------------|------------|
| (1) ASETF | 5,907,000 | | |
| (2) Other Sources | | 78,805,088 | |
| Total University Hospital and Clinics | 5,907,000 | 78,805,088 | 84,712,088 |

5. School of Optometry:

| | |
|--------------------------|-----------|
| (a) Instruction | 2,111,241 |
| (b) Research | 91,684 |
| (c) Public Service | 62,188 |

| | |
|--|---------|
| (d) Libraries | 5,477 |
| (e) Academic Support (excl. Lib.) | 296,586 |
| (f) Student Services | 33,263 |
| (g) Institutional Support | 154,370 |
| (h) Operation & Maintenance of Physical Plant | 315,882 |
| (i) Debt Service | 26,125 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,021,500 | | |
| (2) State Funds | | 267,731 | |
| (3) Other Sources | | 807,585 | |
| Total School of Optometry | 2,021,500 | 1,075,316 | 3,096,816 |

6. School of Public and Allied
Health:

| | |
|--|-----------|
| (a) Instruction | 1,890,445 |
| (b) Research | 64,469 |
| (c) Public Service | 245,500 |
| (d) Libraries | 27,785 |
| (e) Academic Support (excl. Lib.) | 484,513 |
| (f) Student Services | 60,197 |
| (g) Institutional Support | 230,800 |
| (h) Operation & Maintenance of Physical Plant | 257,771 |
| (i) Scholarships and Fellowships .. | 16,000 |
| (j) Debt Service | 29,514 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,838,473 | | |
| (2) Federal Funds | | 1,089,642 | |
| (3) Other Sources | | 378,879 | |
| Total School of Community and Allied Health Resources | 1,838,473 | 1,468,521 | 3,306,994 |

7. Regional Technical Institute:

| | |
|--------------------------|-----------|
| (a) Instruction | 1,382,972 |
| (b) Research | 24,750 |
| (c) Public Service | 95,495 |

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| | |
|--|---------|
| (d) Libraries | 35,627 |
| (e) Academic Support (excl. Libr.) | 210,097 |
| (f) Student Services | 63,388 |
| (g) Institutional Support | 102,146 |
| (h) Operation & Maintenance of Physical Plant | 292,825 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|---------|-----------|
| (1) ASETF | 1,697,245 | | |
| (2) Federal Funds | | 349,873 | |
| (3) Other Sources | | 160,182 | |
| Total Regional Technical Institute - | 1,697,245 | 510,055 | 2,207,300 |

8. Joint Health Sciences Program:

| | |
|--|-----------|
| (a) Instruction | 1,675,968 |
| (b) Libraries | 32,400 |
| (c) Academic Support (excl. Libr.) | 185,700 |
| (d) Student Services | 12,000 |
| (e) Institutional Support | 280,400 |
| (f) Operation & Maintenance of Physical Plant | 572,164 |
| (g) Scholarships and Fellowships .. | 100,000 |
| (h) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|---------|-----------|
| (1) ASETF | 2,392,488 | | |
| (2) Federal Funds | | 175,800 | |
| (3) Other Sources | | 340,344 | |
| Total Joint Health Sciences Pro- gram | 2,392,488 | 516,144 | 2,908,632 |

9. Department of Pediatrics:

| | |
|-----------------------|---------|
| (a) Instruction | 318,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|---------|--|---------|
| (1) ASETF | 318,000 | | |
| Total Department of Pediatrics ____ | 318,000 | | 318,000 |

10. Center for Labor Education &
Research:

| | |
|--------------------|--------|
| (a) Research | 43,070 |
|--------------------|--------|

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| | | |
|--|---------|--|
| (b) Public Service | 172,270 | |
| (c) Institutional Support | 30,040 | |
| (d) Operation & Maintenance of Physical Plant | 23,794 | |

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 269,174 | |
| Total Center for Labor Education and Research | 269,174 | 269,174 |

11. Student Nurses Loans:

| | | |
|-----------------------------------|--------|--|
| (a) Scholarships & Fellowships .. | 12,000 | |
|-----------------------------------|--------|--|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 12,000 | |
| Total Student Nurses Loans | 12,000 | 12,000 |

12. Special Mental Health:

| | | |
|--|-----------|--|
| (a) Instruction | 1,684,908 | |
| (b) Research | 362,451 | |
| (c) Public Service | 91,707 | |
| (d) Institutional Support | 95,246 | |
| (e) Operation & Maintenance of Physical Plant | 80,877 | |
| (f) Transfers | 567,710 | |

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-----------|
| (1) Special Mental Health Fund ... | 2,882,899 | |
| Total Special Mental Health | 2,882,899 | 2,882,899 |

13. Center for Developmental and
Learning Disorders:

| | | |
|--------------------------|-----------|--|
| (a) Instruction | 1,404,635 | |
| (b) Research | 25,083 | |
| (c) Public Service | 1,078,560 | |

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) Special Mental Health Fund ... | 487,250 | |
| (2) Federal Funds | 1,482,501 | |
| (3) Other Sources | 538,527 | |
| Total Center for Development and Learning Disorders | 2,508,278 | 2,508,278 |

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14. School of Dentistry:

| | |
|--|-----------|
| (a) Instruction | 5,525,057 |
| (b) Research | 3,871,173 |
| (c) Public Service | 561,287 |
| (d) Libraries | 102,052 |
| (e) Academic Support (excl. Libr.) | 574,044 |
| (f) Student Services | 127,565 |
| (g) Institutional Support | 803,661 |
| (h) Operation & Maintenance of Physical Plant | 2,079,120 |
| (i) Debt Service | 85,000 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,938,000 | | |
| (2) Federal Funds | | 4,100,000 | |
| (3) Other Sources | | 2,690,959 | |
| Total School of Dentistry | 6,938,000 | 6,790,959 | 13,728,959 |

15. School of Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships & Fellowships | 88,400 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 88,400 | | |
| Total School of Nursing Scholar- ships | 88,400 | | 88,400 |

16. System Medical Education Pro-
gram:

| | |
|-----------------------|---------|
| (a) Instruction | 503,500 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 503,500 | | |
| Total System Medical Education Program | 503,500 | | 503,500 |

17. School of Nursing:

| | |
|--|-----------|
| (a) Instruction | 2,621,714 |
| (b) Research | 51,134 |
| (c) Public Service | 45,000 |
| (d) Libraries | 34,080 |
| (e) Academic Support (excl. Libr.) | 399,325 |

| | |
|--|---------|
| (f) Student Services | 133,991 |
| (g) Institutional Support | 248,857 |
| (h) Operation & Maintenance of Physical Plant | 817,983 |
| (i) Scholarships & Fellowships .. | 20,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,546,102 | | |
| (2) Federal Funds | | 719,603 | |
| (3) Other Sources | | 606,379 | |
| Total School of Nursing | 2,546,102 | 1,325,982 | 3,872,084 |

18. Health - Related Research and
Public Service:

| | |
|--|-----------|
| (a) Instruction | 925,900 |
| (b) Research | 670,900 |
| (c) Public Service | 1,051,100 |
| (d) Academic Support (excl. Libr.) | 24,900 |
| (e) Institutional Support | 135,500 |
| (f) Operation & Maintenance of Physical Plant | 141,654 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|--------|-----------|
| (1) ASETF | 2,889,654 | | |
| (2) Other Sources | | 60,300 | |
| Total Health-Related Research and Public Service | 2,889,654 | 60,300 | 2,949,954 |

(These appropriations under Sub-section B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

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19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

| | | |
|--------------------------|---------|--|
| (a) Instruction | 125,000 | |
| (b) Public Service | 40,000 | |

SOURCE OF FUNDS:

| | | |
|----------------------------------|----------------|----------------|
| (1) ASETF | 165,000 | |
| Total Emergency Medical Training | <u>165,000</u> | <u>165,000</u> |

20. Urban Research and Public
Service:

| | | |
|--|--------|--|
| (a) Research | 46,800 | |
| (b) Public Service | 97,870 | |
| (c) Libraries | 17,020 | |
| (d) Operation & Maintenance of Physical Plant | 8,522 | |

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | <u>170,212</u> | |
| Total Urban Research & Public Service | <u>170,212</u> | <u>170,212</u> |

| | | |
|---------------------------------|---------|--|
| 21. Hypertension Research | 400,000 | |
|---------------------------------|---------|--|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|----------------|----------------|
| (1) ASETF | <u>400,000</u> | |
| Total Hypertension Research | <u>400,000</u> | <u>400,000</u> |

| | | |
|------------------------------|---------|--|
| 22. Arthritis Research | 400,000 | |
|------------------------------|---------|--|

SOURCE OF FUNDS:

| | | |
|--------------------------------|----------------|----------------|
| (1) ASETF | <u>400,000</u> | |
| Total Arthritis Research | <u>400,000</u> | <u>400,000</u> |

| | | | |
|--|-------------------|--------------------|--------------------|
| TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM | <u>59,970,512</u> | <u>136,006,428</u> | <u>195,976,940</u> |
|--|-------------------|--------------------|--------------------|

C. University of Alabama in Hunts-
ville:

(1) Operation and Maintenance:

| | | |
|--------------------------|-----------|--|
| (a) Instruction | 4,439,805 | |
| (b) Research | 1,514,883 | |
| (c) Public Service | 277,652 | |

| | |
|--|-----------|
| (d) Libraries | 330,645 |
| (e) Academic Support (excl. Lib.) | 264,531 |
| (f) Student Service | 536,212 |
| (g) Institutional Support | 1,008,079 |
| (h) Operation and Maintenance of Physical Plant | 1,000,930 |
| (i) Scholarships and Fellowships .. | 740,577 |
| (j) Auxiliary Enterprises | 1,075,163 |
| (k) Equipment Purchases | 530,000 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|-----------|------------|
| (1) ASETF | 5,691,184 | | |
| (2) Federal Funds | | 1,988,825 | |
| (3) Other Sources | | 3,938,468 | |
| Total Operation & Maintenance ... | 5,791,184 | 5,927,293 | 11,718,477 |

2. School of Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total School of Nursing Scholar- ships | 18,000 | | 18,000 |

(To be expended in accordance
with Act 2290, 1971 Regular
Session.)

3. School of Primary Medical Care:

| | |
|--|-----------|
| (a) Instruction | 1,704,937 |
| (b) Research | 435,865 |
| (c) Public Service | 16,423 |
| (d) Libraries | 29,906 |
| (e) Academic Support (excl. Lib.) | 550,623 |
| (f) Student Services | 60,175 |
| (g) Institutional Support | 365,534 |
| (h) Operation and Maintenance of Physical Plant | 312,094 |
| (i) Scholarships and Fellowships .. | 2,800 |
| (j) Equipment Purchases | 47,567 |

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SOURCE OF FUNDS:

| | | | |
|---|-----------|---------|-----------|
| (1) ASETF | 2,642,511 | | |
| (2) Federal Funds | | 440,228 | |
| (3) Other Sources | | 443,185 | |
| Total School of Primary Medical Care | 2,642,511 | 883,413 | 3,525,924 |

4. Johnson Environmental &
Energy Center:

| | | | |
|--|--|---------|--|
| (a) Research | | 338,626 | |
| (b) Public Service | | 201,730 | |
| (c) Institutional Support | | 23,454 | |
| (d) Operation and Maintenance of Physical Plant | | 44,007 | |
| (e) Equipment Purchases | | 27,282 | |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 269,191 | | |
| (2) State Funds | | 58,911 | |
| (3) Federal Funds | | 305,168 | |
| (4) Other Sources | | 1,829 | |
| Total Center for Environmental and Energy Studies | 269,191 | 365,908 | 635,099 |

5. Ambulatory Care Center:

| | | | |
|--|--|---------|--|
| (a) Instruction | | 480,223 | |
| (b) Academic Support (excl. Libr.) | | 466,201 | |
| (c) Institutional Support | | 72,918 | |
| (d) Operation and Maintenance of Physical Plant | | 88,682 | |
| (e) Equipment Purchases | | 50,000 | |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|---------|-----------|
| (1) ASETF | 646,403 | | |
| (2) Other Sources | | 511,621 | |
| Total Ambulatory Care Center | 646,403 | 511,621 | 1,158,024 |

6. School of Nursing:

| | | | |
|--|--|---------|--|
| (a) Instruction | | 538,238 | |
| (b) Academic Support (excl. Libr.) | | 197,272 | |

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| | |
|--|---------|
| (c) Institutional Support | 108,347 |
| (d) Operation and Maintenance of Physical Plant | 137,722 |
| (e) Equipment Purchases | 2,700 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 792,027 | | |
| (2) Other Sources | | 192,252 | |
| Total School of Nursing | 792,027 | 192,252 | 984,279 |

7. Paramedic Training:

| | |
|--|--------|
| (a) Instruction | 7,750 |
| (b) Public Service | 86,000 |
| (c) Institutional Support | 16,730 |
| (d) Operation and Maintenance of Physical Plant | 14,520 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Paramedic Training | 125,000 | | 125,000 |

8. Alabama Solar Energy Center:

| | |
|--|--------|
| (a) Research | 36,947 |
| (b) Public Service | 36,947 |
| (c) Institutional Support | 10,226 |
| (d) Operation and Maintenance of Physical Plant | 19,188 |
| (e) Equipment Purchases | 14,349 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|---------|--|---------|
| (1) ASETF | 117,657 | | |
| Total Solar Energy Center | 117,657 | | 117,657 |

| | | | |
|--|-------------------|------------------|-------------------|
| TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE | 10,401,973 | 7,880,487 | 18,282,460 |
|--|-------------------|------------------|-------------------|

**II. Board of Trustees of Alabama
A & M University**

A. Alabama A & M University

1. Operation and Maintenance

| | |
|-----------------------|-----------|
| (a) Instruction | 5,772,727 |
| (b) Research | 1,124,500 |

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| | |
|--|-----------|
| (c) Public Service | 1,680,425 |
| (d) Libraries | 625,400 |
| (e) Academic Support (excl. Libr.) | 671,455 |
| (f) Student Services | 588,550 |
| (g) Institutional Support | 1,840,000 |
| (h) Operation and Maintenance of Physical Plant | 2,291,814 |
| (i) Scholarships and Fellowships .. | 150,000 |
| (j) Auxiliary Enterprises | 2,900,000 |
| (k) Equipment Purchases | 241,814 |
| (l) Automotive Equipment | 65,000 |
| (m) Debt Service | 451,000 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|-------------------|-------------------|
| (1) ASETF | 8,100,000 | | |
| (2) Federal Funds | | 5,027,000 | |
| (3) Other Sources | | 5,275,685 | |
| Total Operation & Maintenance | 8,100,000 | 10,302,685 | 18,402,685 |

| | |
|---|----------------|
| 2. Vocational Teacher Training | 250,000 |
|---|----------------|

SOURCE OF FUNDS:

| | | | |
|---|------------------|-------------------|-------------------|
| (1) ASETF | 250,000 | | |
| Total Vocational Teacher Trng. | 250,000 | | 250,000 |
| TOTAL ALABAMA A & M UNI- VERSITY | 8,350,000 | 10,302,685 | 18,652,685 |

**III. Board of Trustees of Alabama
State University**

A. Alabama State University

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,215,310 |
| (b) Libraries | 670,860 |
| (c) Academic Support (excl. Libr.) | 511,880 |
| (d) Student Services | 888,340 |
| (e) Institutional Support | 1,259,780 |
| (f) Operation and Maintenance of Physical Plant | 1,337,810 |
| (g) Scholarships and Fellowships .. | 3,807,340 |

| | |
|---------------------------------|-----------|
| (h) Auxiliary Enterprises | 2,424,780 |
| (i) Research | 93,610 |
| (j) Public Service | 93,820 |
| (k) Debt Service | 920,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|------------|------------|
| (1) ASETF | 7,118,175 | | |
| (2) Federal Funds | | 4,271,910 | |
| (3) Other Sources | | 5,833,445 | |
| Total Alabama State University ... | 7,118,175 | 10,105,355 | 17,223,530 |

IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

| | |
|---|------------|
| (a) Instruction | 30,016,035 |
| (b) Research | 5,987,159 |
| (c) Public Service | 4,036,563 |
| (d) Libraries | 3,581,220 |
| (e) Academic Support (excl. Libr.) | 3,310,474 |
| (f) Student Services | 3,273,554 |
| (g) Institutional Support | 4,651,892 |
| (h) Operation and Maintenance of Physical Plant | 7,476,079 |
| (i) Scholarships and Fellowships .. | 1,400,000 |
| (j) Auxiliary Enterprises | 15,040,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|------------|------------|------------|
| (1) ASETF | 34,962,440 | | |
| (2) Federal Funds | | 152,350 | |
| (3) Other Sources | | 43,637,906 | |
| (4) State Funds | | 20,280 | |
| Total Operation and Maintenance .. | 34,962,440 | 43,810,536 | 78,772,976 |

2. School of Nursing:

| | |
|-----------------------|---------|
| (a) Instruction | 500,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|--|---------|
| (1) ASETF | 500,000 | | |
| Total School of Nursing | 500,000 | | 500,000 |

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3. Educational Television:

| | |
|-----------------------|---------|
| (a) Instruction | 352,068 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|---------|---------|
| (1) ASETF | 352,068 | |
| Total Educational Television | 352,068 | 352,068 |

4. Center for Vocational Teacher Educational Training:

| | |
|-----------------------|---------|
| (a) Instruction | 500,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 500,000 | |
| Total Center for Vocational Teacher Educational Training | 500,000 | 500,000 |

5. Clinical Psychology:

| | |
|-----------------------|---------|
| (a) Instruction | 103,950 |
|-----------------------|---------|

| | |
|--|-------|
| (b) Equipment-Other than Auto- motive | 6,050 |
|--|-------|

SOURCE OF FUNDS:

| | | |
|---------------------------------|---------|---------|
| (1) ASETF | 110,000 | |
| Total Clinical Psychology | 110,000 | 110,000 |

6. Agricultural Experiment Station (Including Wildlife):

| | |
|--------------------|------------|
| (a) Research | 14,609,845 |
|--------------------|------------|

| | |
|---------------------------------|---------|
| (b) Institutional Support | 618,350 |
|---------------------------------|---------|

| | |
|--|---------|
| (c) Operation and Maintenance of Physical Plant | 286,953 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|--|-----------|------------|
| (1) ASETF | 7,224,277 | |
| (2) Federal Funds | 5,546,341 | |
| (3) Other Sources | 2,550,000 | |
| (4) State Funds | 194,530 | |
| Total Agriculture Experiment Station | 7,224,277 | 8,290,871 |
| | | 15,515,148 |

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station

System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

(a) Research 812,232

SOURCE OF FUNDS:

(1) ASETF 812,232

| | | |
|--|---------|---------|
| Total Engineering Experimental Station | 812,232 | 812,232 |
|--|---------|---------|

8. Cooperative Extension Service:

(a) Public Service 17,293,319

SOURCE OF FUNDS:

(1) ASETF 7,893,538

(2) Federal Funds 7,872,700

(3) Local Funds 1,527,081

| | | | |
|---|-----------|-----------|------------|
| Total Cooperative Extension Service | 7,893,538 | 9,399,781 | 17,293,319 |
|---|-----------|-----------|------------|

production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

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9. Cooperative Extension Service-Retirement:

(a) Public Service 1,022,840

SOURCE OF FUNDS:

(1) ASETF 1,022,840

(2) Other Sources

| | | |
|--|-----------|-----------|
| Total Cooperative Extension Service-Retirement | 1,022,840 | 1,022,840 |
|--|-----------|-----------|

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

(a) Public Service 346,841

SOURCE OF FUNDS:

(1) ASETF 346,841

| | | |
|--|---------|---------|
| Total Public Service, Research and Extension | 346,841 | 346,841 |
|--|---------|---------|

11. Energy Research 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

| | | |
|-----------------------------|---------|---------|
| Total Energy Research | 250,000 | 250,000 |
|-----------------------------|---------|---------|

| | | | |
|----------------------------|------------|------------|-------------|
| TOTAL AUBURN UNIVERSITY .. | 53,974,236 | 61,501,188 | 115,475,424 |
|----------------------------|------------|------------|-------------|

B. Auburn University at Montgomery:

1. Operations and Maintenance:

(a) Instruction 4,516,113

(b) Research 87,405

(c) Public Service 1,801,705

(d) Libraries 314,216

(e) Academic Support (excl. Libr.) 245,453

(f) Student Services 345,521

| | |
|--|-----------|
| (g) Institutional Support | 515,122 |
| (h) Operation and Maintenance of Physical Plant | 1,146,296 |
| (i) Scholarships and Fellowships .. | 293,295 |
| (j) Debt Service | 60,314 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 5,281,493 | | |
| (2) Federal Funds | | 1,621,100 | |
| (3) State Funds | | 45,000 | |
| (4) Other Sources | | 2,377,847 | |
| Total Operation and Maintenance .. | 5,281,493 | 4,043,947 | 9,325,440 |

2. Montgomery Area Community
Health Science Institute:

| | |
|--------------------------|---------|
| (a) Public Service | 127,769 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 127,769 | | |
| Total Montgomery Area Commu- nity Health Science Institute | 127,769 | | 127,769 |

3. Public Service Research and Ex-
tensions (Center for Govern-
ment & Public Affairs):

| | |
|---------------------------|---------|
| (a) Public Services | 158,400 |
|---------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|-------|---------|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 8,400 | |
| Total Public Service Research and Extensions (Center for Govern- ment and Public Affairs) | 150,000 | 8,400 | 158,400 |

4. School of Nursing:

| | |
|-----------------------|---------|
| (a) Instruction | 250,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 250,000 | | |
| Total School of Nursing | 250,000 | | 250,000 |
| TOTAL AUBURN AT MONTGOM- ERY | 5,809,262 | 4,052,347 | 9,861,609 |

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V. Board of Trustees of Jacksonville State University:

A. Jacksonville State University

1. Operations and Maintenance

| | |
|---|-----------|
| (a) Instruction | 7,772,548 |
| (b) Public Service | 64,172 |
| (c) Libraries | 1,061,468 |
| (d) Academic Support (excl. Libr.) | 499,736 |
| (e) Student Services | 853,172 |
| (f) Institutional Support | 370,304 |
| (g) Operation and Maintenance of Physical Plant | 2,310,978 |
| (h) Scholarships and Fellowships .. | 315,000 |
| (i) Debt Service | 515,000 |

SOURCE OF FUNDS:

| | | | |
|---|-------------------|------------------|-------------------|
| (1) ASETF | 10,272,378 | | |
| (2) State Funds | | 160,000 | |
| (3) Other Sources | | 3,230,000 | |
| Total Operations and Maintenance | 10,372,378 | 3,390,000 | 13,762,378 |

2. Gadsden Program:

| | |
|---|---------|
| (a) Instruction | 465,622 |
| (b) Public Service | 8,000 |
| (c) Libraries | 38,000 |
| (d) Academic Support (excl. Libr.) | 18,000 |
| (e) Student Services | 15,000 |
| (f) Operation and Maintenance of Physical Plant | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|----------------|----------------|----------------|
| (1) ASETF | 484,622 | | |
| (2) Other Sources | | 110,000 | |
| Total Cooperative University Upper Division (formerly Gadsden Prog.) | 484,622 | 110,000 | 594,622 |

3. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |

(To be expended in accordance
with Act No. 2288, 1971 Regular
Session.)

| | | |
|--|--|---------|
| 4. United Cerebral Palsy Develop- ment Center for East Central Alabama | | 100,000 |
|--|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 100,000 | |
| Total United Cerebral Palsy Devel- opment Center for East Central Alabama | 100,000 | 100,000 |

| | | |
|--|--|---------|
| 5. For Vocational Teacher Training | | 100,000 |
|--|--|---------|

SOURCE OF FUNDS:

| | | |
|--|------------|------------|
| (1) ASETF | 100,000 | |
| Total Vocational Teacher Training | 100,000 | 100,000 |
| TOTAL JACKSONVILLE STATE UNIVERSITY | 11,075,000 | 3,500,000 |
| | | 14,575,000 |

A. Livingston University:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,634,247 |
| (b) Libraries | 173,902 |
| (c) Academic Support (excl. Libr.) | 196,472 |
| (d) Student Services | 224,790 |
| (e) Institutional Support | 630,208 |
| (f) Operation and Maintenance of Physical Plant | 891,821 |
| (g) Scholarships and Fellowships .. | 25,646 |
| (h) Auxiliary Enterprises | 1,078,000 |
| (i) For Federal Programs | 189,800 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-----------|
| (1) ASETF | 3,211,782 | |
| (2) Federal Funds | | 189,800 |
| (3) Local Funds | | 1,643,304 |
| Total Operation and Maintenance .. | 3,211,782 | 1,833,104 |
| | | 5,044,886 |

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2. Nursing Scholarships:

(a) Scholarships and Fellowships .. 18,000

SOURCE OF FUNDS:

| | | |
|--|------------------|--------------------------------------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |
| TOTAL LIVINGSTON UNIVER- SITY | 3,229,782 | 1,833,104 5,062,886 |

VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 2,999,975 |
| (b) Research | 50,000 |
| (c) Public Service | 89,456 |
| (d) Libraries | 249,691 |
| (e) Academic Support | 372,312 |
| (f) Student Services | 392,952 |
| (g) Institutional Support | 807,390 |
| (h) Operation and Maintenance of Physical Plant | 1,546,618 |
| (i) Scholarships and Fellowships .. | 77,070 |
| (j) Hospitals | 306,080 |
| (k) Auxiliary Enterprises | 1,966,651 |

SOURCE OF FUNDS:

| | | |
|----------------------------------|-----------|------------------------|
| (1) ASETF | 4,975,198 | |
| (2) State Funds | 85,000 | |
| (3) Federal Funds | 323,959 | |
| (4) Other Sources | 3,474,038 | |
| Total Operations and Maintenance | 4,975,198 | 3,882,997 8,858,195 |

2. School for Aphasic Children:

(a) Instruction

276,072

SOURCE OF FUNDS:

(1) ASETF

199,464

| | | | |
|--|-----------|-----------|-----------|
| (2) Federal Funds | | 3,000 | |
| (3) Other Sources | | 73,608 | |
| Total School for Aphasic Children .. | 199,464 | 76,608 | 276,072 |
| <hr/> | | | |
| 3. Highway Safety Program: | | | |
| (a) Instruction | | | 127,788 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,714 | | |
| (2) Other Sources | | 2,074 | |
| Total Highway Safety Program | 125,714 | 2,074 | 127,788 |
| <hr/> | | | |
| 4. Communications Center: | | | |
| (a) Public Service | | | 18,178 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 18,178 | | |
| Total Communications Center | 18,178 | | 18,178 |
| <hr/> | | | |
| 5. For Vocational Teacher Training | | | 50,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 50,000 | | |
| Total Vocational Teacher Training | 50,000 | | 50,000 |
| <hr/> | | | |
| TOTAL UNIVERSITY OF MONTE- VALLO | 5,368,554 | 3,961,679 | 9,330,233 |
| <hr/> | | | |
| VIII. Board of Trustees of Univer- sity of North Alabama: | | | |
| A. University of North Alabama: | | | |
| 1. Operations and Maintenance: | | | |
| (a) Instruction | | | 5,219,942 |
| (b) Research | | | 106,350 |
| (c) Public Service | | | 51,130 |
| (d) Libraries | | | 487,000 |
| (e) Academic Support (excl. Libr.) | | | 629,000 |
| (f) Student Services | | | 835,660 |
| (g) Institutional Support | | | 1,147,000 |
| (h) Operation and Maintenance of Physical Plant | | | 1,636,200 |

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| | |
|-------------------------------------|---------|
| (i) Scholarships and Fellowships .. | 60,439 |
| (j) Debt Service | 170,700 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|------------|
| (1) ASETF | 7,000,000 | | |
| (2) Federal Funds | | 284,680 | |
| (3) Local Funds | | 85,000 | |
| (4) Other Sources | | 2,973,741 | |
| Total Operation and Maintenance .. | 7,000,000 | 3,343,421 | 10,343,421 |

2. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 2,544,321 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|-----------|-----------|
| (1) Other Sources | 2,544,321 | |
| Total Auxiliary Enterprises | 2,544,321 | 2,544,321 |

3. Nursing School Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|--------------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| Total Nursing School Scholarships .. | 18,000 | 18,000 |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

| | | | |
|--|-----------|-----------|------------|
| TOTAL UNIVERSITY OF NORTH ALABAMA | 7,018,000 | 5,887,742 | 12,905,742 |
|--|-----------|-----------|------------|

IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

| | |
|------------------------------------|-----------|
| (a) Instruction | 8,120,663 |
| (b) Research | 175,488 |
| (c) Public Service | 49,267 |
| (d) Libraries | 416,050 |
| (e) Academic Support (excl. Libr.) | 458,281 |
| (f) Student Services | 1,272,356 |
| (g) Institutional Support | 1,216,059 |

| | |
|--|-----------|
| (h) Operations and Maintenance of Physical Plant | 2,137,653 |
| (i) Scholarships and Fellowships .. | 275,181 |
| (j) Debt Service | 1,499,333 |
| (k) Capital Outlay | 113,283 |
| (l) Equipment - Other than Automotive | 508,199 |
| (m) Automotive Equipment | 19,110 |
| (n) Transfers | 190,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 9,852,713 | | |
| (2) State Funds | | 123,353 | |
| (3) Federal Funds | | 481,400 | |
| (4) Other Sources | | 5,993,457 | |
| Total Operations and Maintenance | 9,852,713 | 6,598,210 | 16,450,923 |

2. Statewide Medical Education:

| | |
|-----------------------|---------|
| (a) Instruction | 187,824 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 187,824 | |
| Total Statewide Medical Education | 187,824 | 187,824 |

3. Ambulatory Care:

| | |
|------------------------------------|--------|
| (a) Academic Support (excl. Libr.) | 99,304 |
|------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|--------|--------|
| (1) ASETF | 99,304 | |
| Total Ambulatory Care | 99,304 | 99,304 |

4. Family Practice Residency Program:

| | |
|--|---------|
| (a) Instruction | 423,316 |
| (b) Operations and Maintenance of Physical Plant | 4,880 |
| (c) Equipment - Other than Automotive | 54,804 |
| (d) Transfers | 94,000 |

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SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 577,000 | |
| Total Family Practice Residency Programs | 577,000 | 577,000 |

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

| | |
|--|-----------|
| (a) Instruction | 6,470,483 |
| (b) Research | 1,123,449 |
| (c) Public Service | 24,707 |
| (d) Libraries | 408,000 |
| (e) Academic Support | 386,817 |
| (f) Student Services | 125,262 |
| (g) Institutional Support | 869,353 |
| (h) Operations and Maintenance of Physical Plant | 1,228,181 |
| (i) Scholarships and Fellowships .. | 35,811 |
| (j) Capital Outlay | 192,695 |
| (k) Equipment - Other than Automotive | 192,695 |
| (l) Transfers | 1,791,434 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 8,459,329 | | |
| (2) Federal Funds | | 1,262,506 | |
| (3) Other Sources | | 3,127,052 | |
| Total College of Medicine | 8,459,329 | 4,389,558 | 12,848,887 |

6. University Medical Center:

(Includes University Hospital and Clinic)

| | |
|--------------------------|------------|
| (a) Medical Center | 25,971,366 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 1,677,427 |
|-----------------|-----------|

| | | | |
|--|-----------|------------|------------|
| (2) Other Sources | | 24,293,939 | |
| Total University Medical Center | 1,677,427 | 24,293,939 | 25,971,366 |
| <hr/> | | | |
| 7. Newborn Growth and Development Program (formerly Infant and Maternal Care): | | | |
| (a) Instruction | | | 79,097 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 79,097 | | |
| Total Infant and Maternal Care | 79,097 | | 79,097 |
| <hr/> | | | |
| 8. End Stage Renal Disease: | | | |
| (a) Instruction | | | 25,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 25,000 | | |
| Total End Stage Renal Disease | 25,000 | | 25,000 |
| <hr/> | | | |
| 9. Division of Allied Health: | | | |
| (a) Instruction | | | 456,770 |
| (b) Institutional Support | | | 74,384 |
| (c) Equipment - Other than Auto- motive | | | 57,000 |
| (d) Transfers | | | 96,145 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 586,432 | | |
| (2) Other Sources | | 97,867 | |
| Total Division of Allied Health | 586,432 | 97,867 | 684,299 |
| <hr/> | | | |
| 10. School of Nursing: | | | |
| (a) Instruction | | | 500,706 |
| (b) Institutional Support | | | 15,000 |
| (c) Equipment - Other than Auto- motive | | | 30,000 |
| (d) Transfers | | | 99,942 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 468,864 | | |
| (2) Federal Funds | | 25,500 | |

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| | | | |
|---|---------|---------|---------|
| (3) Other Sources | | 151,284 | |
| Total School of Nursing | 468,864 | 176,784 | 645,648 |
| | | | |
| 11. Scholarships and Fellowships .. | | | 22,539 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 18,000 | | |
| (2) Other Sources | | 4,539 | |
| Total Nursing Scholarships | 18,000 | 4,539 | 22,539 |
| | | | |
| (To be expended in accordance with Act No. 2304, 1971 Regular Session.) | | | |
| 12. Research and Public Service Extension: | | | |
| (a) Research | | | 40,000 |
| (b) Public Service | | | 51,398 |
| (c) Equipment - Other than Auto-motive | | | 10,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 91,398 | | |
| (2) Other Sources | | 10,000 | |
| Total Research and Public Service Extension | 91,398 | 10,000 | 101,398 |
| | | | |
| 13. Reproductive Health Sciences Center: | | | |
| (a) Instruction | | | 25,000 |
| (b) Equipment - Other than Auto-motive | | | 25,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 50,000 | | |
| Total Reproductive Health Sciences Center | 50,000 | | 50,000 |
| | | | |
| 14. Paramedic Training Program: | | | |
| (a) For Operations and Maintenance | | | 125,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,000 | | |
| Total Paramedic Training Program | 125,000 | | 125,000 |

15. Auxiliary Enterprises:

(a) Auxiliary Enterprises _____ 4,549,481

SOURCE OF FUNDS:

(1) Other Sources _____ 4,549,481

Total Auxiliary Enterprises _____ 4,549,481 4,549,481

TOTAL UNIVERSITY OF SOUTH ALABAMA _____ 22,297,388 40,120,378 62,417,766

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction _____ | 4,176,400 |
| (b) Research _____ | 32,800 |
| (c) Libraries _____ | 377,900 |
| (d) Academic Support (excl. Libr.) _____ | 259,800 |
| (e) Student Services _____ | 831,200 |
| (f) Institutional Support _____ | 1,090,300 |
| (g) Operation and Maintenance of Physical Plant _____ | 1,300,000 |
| (h) Scholarships and Fellowships _____ | 360,000 |
| (i) Public Service _____ | 221,800 |
| (j) Auxiliary Enterprises _____ | 3,265,318 |
| (k) Capital Outlay _____ | 365,000 |
| (l) Debt Services _____ | 245,000 |
| (m) Transfer to Plant Fund _____ | 100,000 |
| (n) For Vocational Teacher Training _____ | 100,000 |

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SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,508,599 | | |
| (2) Federal Funds | | 500,000 | |
| (3) Other Sources | | 5,716,919 | |
| Total Operations and Maintenance | 6,508,599 | 6,216,919 | 12,725,518 |

2. Operation and Maintenance at
Ft. Rucker/Dothan:

| | |
|--|-----------|
| (a) Instruction | 1,137,700 |
| (b) Libraries | 114,900 |
| (c) Academic Support (excl. Libr.) | 154,700 |
| (d) Student Services | 131,200 |
| (e) Institutional Support | 172,500 |
| (f) Operation and Maintenance of Physical Plant | 116,626 |
| (g) Scholarships and Fellowships .. | 20,000 |
| (h) Auxiliary Enterprises | 145,000 |
| (i) Capital Outlay | 115,000 |
| (j) Debt Service | 80,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|-----------|-----------|
| (1) ASETF | 870,000 | | |
| (2) Other Sources | | 1,317,626 | |
| Total Operations and Maintenance at Ft. Rucker/Dothan | 870,000 | 1,317,626 | 2,187,626 |

3. Operations and Maintenance in
Montgomery:

| | |
|-------------------------------------|-----------|
| (a) Instruction | 1,271,300 |
| (b) Public Service | 66,500 |
| (c) Libraries | 15,000 |
| (d) Academic Support (excl. Libr.) | 145,000 |
| (e) Student Services | 235,000 |
| (f) Institutional Support | 495,000 |
| (g) Scholarships and Fellowships .. | 5,000 |
| (h) Auxiliary Enterprises | 220,000 |
| (i) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 222,800 | | |
| (2) Other Sources | | 2,280,000 | |
| Total Operations and Maintenance in Montgomery | 222,800 | 2,280,000 | 2,502,800 |

4. Nursing Scholarships:

| | | | |
|-------------------------------------|--|--|--------|
| (a) Scholarships and Fellowships .. | | | 36,000 |
|-------------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 36,000 | | |
| Total Nursing Scholarships | 36,000 | | 36,000 |

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

| | | | |
|-----------------------|--|--|--------|
| (a) Instruction | | | 50,000 |
|-----------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Operation and Maintenance at Bay Minette's Branch | 50,000 | | 50,000 |

6. Operation and Maintenance of
BSN Program in Montgomery

250,000

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|------------|
| (1) ASETF | 250,000 | | |
| Total Nursing School - Montgomery | 250,000 | | 250,000 |
| TOTAL TROY STATE UNIVER- SITY | 7,937,399 | 9,814,545 | 17,751,944 |

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

| | | | |
|----------------------------|--|--|-----------|
| (a) Instructions | | | 1,710,440 |
| (b) Libraries | | | 72,368 |
| (c) Student Services | | | 379,151 |

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| | |
|--|-----------|
| (d) Institutional Support | 149,190 |
| (e) Operation and Maintenance of Physical Plant | 1,337,543 |
| (f) Scholarships and Fellowships .. | 1,800 |
| (g) Infirmary Speech and Hearing | 133,233 |
| (h) Auxiliary Enterprises | 2,179,651 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 3,696,500 | | |
| (2) Federal Funds | | 2,266,876 | |
| Total Alabama Institute for Deaf and Blind | 3,696,500 | 2,266,876 | 5,963,376 |

B. Department of Adult Blind and Deaf:

(1) Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,105,085 |
| (b) Libraries | 77,133 |
| (c) Academic Support (excl. Libr.) .. | 32,441 |
| (d) Student Services | 805,927 |
| (e) Institutional Support | 259,251 |
| (f) Operation and Maintenance of Physical Plant | 312,833 |
| (g) Auxiliary Enterprises | 5,896,247 |
| (h) Equipment - Other than Auto- motive | 63,466 |
| (i) Automotive Equipment | 12,501 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 1,518,500 | | |
| (2) Federal Funds | | 2,017,349 | |
| (3) Other Sources | | 5,029,035 | |
| Total Alabama Institute for Deaf and Blind | 1,518,500 | 7,046,384 | 8,564,884 |

GRAND TOTAL ALABAMA IN-
STITUTE FOR DEAF AND
BLIND

| | | |
|-----------|-----------|------------|
| 5,215,000 | 9,313,260 | 14,528,260 |
|-----------|-----------|------------|

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance. Of the appropriation above three hundred dollars (\$300) per

teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the Instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase. Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worked per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,256,227 |
| (b) Instructional Support | 105,072 |
| (c) Administrative Support | 442,221 |
| (d) Student Services | 144,347 |
| (e) Operation and Maintenance of Physical Plant | 362,141 |
| (f) Auxiliary Enterprises | 323,122 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF | 1,500,000 | | |
| (2) Federal Funds | | 122,250 | |
| (3) Other Sources | | 1,010,880 | |
| TOTAL ATHENS STATE COL- LEGE | 1,500,000 | 1,133,130 | 2,633,130 |

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

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1. George C. Wallace Community
College at Dothan:

For Operations and Maintenance 125,000

2. Gadsden State Junior College:

For Operations and Maintenance 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community
College-Technical Branch-Dothan:

For a nursing school 200,000

2. George Corley Wallace State
Community College (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 116,300

3. George Corley Wallace State
Community College - Technical
Branch (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 324,000

4. Alabama Academy of Honor 3,500

Section 8.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 9. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and

Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 10. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation

Section 11. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 12. This Act shall become effective on October 1, 1978.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

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SUBSTITUTE OFFERED

Mr. Pegues offered the following substitute to the bill, H. 37 as amended:

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and

for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

(a) Fine Arts Program

914,098

SOURCE OF FUNDS:

(1) ASETF

300,000

| | | | |
|---|---------|---------|---------|
| (2) Federal and Local Funds | | 614,098 | |
| Total Council on the Arts and Humanities | 300,000 | 614,098 | 914,098 |
| <hr/> | | | |
| 2. Debt Service | | | 871,044 |
| (a) For the payment of principal and interest due on bonds issued by the University of Alabama Research-Institute pursuant to Constitutional Amendments No. CLVII | | | |
| | 211,300 | | |
| (b) Interest on Endowments: | | | |
| For interest on University of Montevallo (Alabama College) Endowment, Estimated | 45,000 | | |
| For interest on Auburn University Endowment | 20,280 | | |
| For interest on University of Alabama Endowment | 61,000 | | |
| For interest on Grove Hill Endowment | 600 | | |
| For interest on Public School Fund Endowment: | | | |
| Interest on 16th Section lands, Estimated | 410,000 | | |
| Interest on School Indemnity lands, Estimated | 90,000 | | |
| Interest on Valueless 16th Section lands | 5,825 | | |
| Interest on Surplus plus Revenue | 26,764 | | |
| Interest on James Wallace Fund | 275 | | |
| Total | 659,744 | | |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 871,044 | | |
| Total Debt Service | 871,044 | | 871,044 |
| <hr/> | | | |
| 3. Board of Dental Scholarship Awards | | | |
| (a) Support of Other Educational Activities Program | | | 228,000 |

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 228,000 | |
| Total Board of Dental Scholarship Awards | 228,000 | 228,000 |

(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

4. Department of Education

(a) Financial Assistance Program .. 226,621,995

The proposed spending plan for the above is as follows:

Vocational Education and Other Financial Assistance Programs 48,051,317

(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

| | | | |
|------------------------------------|------------|-------------|-------------|
| (1) ASETF | 48,051,317 | | |
| (2) Federal and Local Funds | | 178,570,678 | |
| Total Financial Assistance Program | 48,051,317 | 178,570,678 | 226,621,995 |

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education on formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovation, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand two hundred ten dollars (\$1,210) per annum; Rank I teachers not less than one thousand ninety-five dollars (\$1,095) per annum; Rank II teachers not less than nine hundred eighty dollars (\$980) per annum; Rank III teachers not less than eight hundred sixty five dollars (\$865) per annum; Rank IV teachers not less than seven hundred fifty dollars (\$750) annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase."

| | |
|--|-----------|
| (b) Instructional Technical Assistance Program | 7,231,665 |
|--|-----------|

The proposed spending plan for the above is as follows:

| | |
|---|-----------|
| Civil Defense | 24,200 |
| Drug Education | 181,500 |
| Operation & Maintenance of Department | 331,681 |
| Right-to-Read | 85,000 |
| Career Education | 110,000 |
| Kindergarten Adm. | 85,000 |
| Minimum Program - Trainable Retarded Children | 524,307 |
| National Defense | 399,300 |
| Vocational Education | 1,446,673 |
| Alabama Learning Resource Center | 60,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 3,267,661 | | |
| (2) Federal and Local Funds | | 3,964,004 | |
| Total Instructional Technical Assistance Program | 3,267,661 | 3,964,004 | 7,231,665 |

(The appropriation for Minimum Program - Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

| | |
|----------------------------------|------------|
| (c) Local Agency Support Program | 11,182,190 |
|----------------------------------|------------|

The proposed spending plan for the above is as follows:

| | |
|--|---------|
| Coordination of In-School Television | 127,201 |
| Driver Education, School Bus Driver Training and Vehicle Safety Inspection | 371,289 |
| Operation & Maintenance of Department | 337,490 |
| Testing | 425,000 |
| Developing, Printing and Publishing Legal & Policy Manuals | 5,000 |

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Free Textbooks 8,602,500

Plans & Surveys 90,150

Facilities Survey 300,000

SOURCE OF FUNDS:

(1) ASETF 10,258,630

(2) Federal and Local Funds 923,560

| | | | |
|--|------------|----------------|------------|
| Total Local Agency Support Program | 10,258,630 | <u>923,560</u> | 11,182,190 |
|--|------------|----------------|------------|

| | | | |
|------------------------------|--|--|---------|
| (d) Regulation Program | | | 879,432 |
|------------------------------|--|--|---------|

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 349,199

Teacher Certification & Accreditation 237,000

SOURCE OF FUNDS:

(1) ASETF 586,199

(2) Federal and Local Funds 293,233

| | | | |
|--------------------------------|---------|----------------|---------|
| Total Regulation Program | 586,199 | <u>293,233</u> | 879,432 |
|--------------------------------|---------|----------------|---------|

| | | | |
|---|--|--|-----------|
| (e) Administrative Services Program | | | 8,478,141 |
|---|--|--|-----------|

The proposed spending plan for the above is as follows:

Compact for Education .. 20,750

Operation & Maintenance of Department 1,600,043

Telephone Revolving Fund 1,200,000

SOURCE OF FUNDS:

(1) ASETF 2,820,793

(2) Federal and Local Funds 5,657,348

| | | | |
|---|-----------|------------------|-----------|
| Total Administrative Services Program | 2,820,793 | <u>5,657,348</u> | 8,478,141 |
|---|-----------|------------------|-----------|

| | | | |
|---|--|--|-----------|
| (f) Adult Basic Education Program | | | 5,660,599 |
|---|--|--|-----------|

The proposed spending plan for the above is as follows:

Adult Basic Education 1,700,000

Community Education 100,000

Operation & Maintenance of De-
partment 15,052

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,815,052 | | |
| (2) Federal and Local Funds | | 3,845,547 | |
| Total Adult Basic Education Pro- gram | 1,815,052 | 3,845,547 | 5,660,599 |
| (g) Continuing Education Program | | | 777,323 |

The proposed spending plan for the
above is as follows:

Operations & Maintenance of De-
partment 20,862

Administration of Private School
Act 49,500

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF | 70,362 | | |
| (2) Federal and Local Funds | | 706,961 | |
| Total Continuing Education Pro- gram | 70,362 | 706,961 | 777,323 |
| (h) Administration of Post-Second- ary Vocational-Technical Educa- tion Program | | | 9,243 |

The proposed spending plan for the
above is as follows:

Operations & Maintenance of
Dept. 9,243

SOURCE OF FUNDS:

| | | | |
|---|-------|--|-------|
| (1) ASETF | 9,243 | | |
| Total Admin. of Post-Secondary Vocational - Technical Education Program | 9,243 | | 9,243 |
| (i) Administration of Junior Col- lege School System Program | | | 9,243 |

The proposed spending plan for the
above is as follows:

Operations & Maintenance of De-
partment 9,243

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SOURCE OF FUNDS:

| | | |
|---|-------|------------|
| (1) ASETF | 9,243 | |
| Total Adm. of Junior College School System Program | 9,243 | 9,243 |
| (j) Rehabilitation Services Pro- gram | | 32,839,711 |

SOURCE OF FUNDS:

| | | |
|--|------------|------------|
| (1) ASETF | 7,097,000 | |
| (2) Federal and Local Funds | 25,742,711 | |
| Total Rehabilitation Services Pro- gram | 7,097,000 | 25,742,711 |
| | | 32,839,711 |

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

| | |
|------------------------------|---------|
| (k) Hemophilia Program | 300,000 |
|------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF | 300,000 | |
| Total Hemophilia Program | 300,000 | 300,000 |

(As provided for under Act 1181, 1975 Regular Session.)

| | |
|-----------------------------|-----------|
| (1) Homebound Program | 2,900,000 |
|-----------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------------|-----------|-----------|
| (1) ASETF | 2,900,000 | |
| Total Homebound Program | 2,900,000 | 2,900,000 |

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

| | |
|---|-----------|
| (m) Disability Determination for Social Security Program | 7,549,812 |
|---|-----------|

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) Federal and Local Funds | 7,549,812 | |
| Total Disability Determination for Social Security Program | 7,549,812 | 7,549,812 |

| | | | |
|--|--|--|-----------|
| (n) Crippled Children Services Program | | | 7,066,190 |
|--|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 4,303,690 | | |
| (2) Federal and Local Funds | | 2,762,500 | |
| Total Crippled Children Services Program | 4,303,690 | 2,762,500 | 7,066,190 |

\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

| | | | |
|---|--|--|-----------|
| (o) Manpower Development and Employment | | | 5,894,844 |
|---|--|--|-----------|

The proposed spending plan for the above is as follows:

| | |
|---|--------|
| Operation & Maintenance of Department | 17,958 |
|---|--------|

| | |
|---|---------|
| Comprehensive Employment & Training | 484,000 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 501,958 | | |
| (2) Federal and Local Funds | | 5,392,886 | |
| Total Manpower Development and Employment Opportunities Program | 501,958 | 5,392,886 | 5,894,844 |

| | | | |
|--|--|--|---------|
| (p) Planning and Coordination Services Program | | | 181,826 |
|--|--|--|---------|

The proposed spending plan for the above is as follows:

| | |
|---|---------|
| Southern Regional Educational Board | 181,826 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 181,826 | | |
| Total Planning & Coordination Services Program | 181,826 | | 181,826 |

| | | | |
|---|--|--|--------|
| (q) Support of State Universities Program | | | 10,000 |
|---|--|--|--------|

The proposed spending plan for the above is as follows:

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Education of Dependents of Blind
Parents 10,000

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 10,000 | |
| <hr/> | | |
| Total Support of State Universities Program | 10,000 | 10,000 |
| <hr/> | | <hr/> |

For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

| | | |
|---|--|-----------|
| (r) Emergency Medical Services Education Program | | 1,500,000 |
|---|--|-----------|

To be distributed by the Depart-
ment of Education as follows:

| | | |
|--|---------|--|
| (1) West Alabama Emergency Medical Services, Inc. | 307,000 | |
| (2) Birmingham Regional Emer- gency Medical Services System .. | 292,000 | |
| (3) North Alabama Emergency Medical Services, Inc. | 277,000 | |
| (4) Southeast Alabama Emergency Medical Services Systems, Inc. .. | 277,000 | |
| (5) East Alabama Emergency Med- ical Services, Inc. | 227,000 | |
| (6) Southwest Alabama Emergency Medical Services Council, Inc. | 120,000 | |

The amounts herein appropriated
shall be used for the operation
and maintenance of the various
medical services programs named
and for the purchase of instruc-
tional supplies and new instruc-
tional equipment for such pro-
grams.

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 1,500,000 | |
| <hr/> | | |
| Total Emergency Medical Service Education Program | 1,500,000 | 1,500,000 |
| <hr/> | | <hr/> |

TOTAL DEPARTMENT OF EDUCATION

SOURCE OF FUNDS:

| | | | |
|---|------------|-------------|-------------|
| (1) ASETF | 83,682,974 | | |
| (2) Federal and Local Funds | | 235,409,240 | |
| Grand Total Department of Education | 83,682,974 | 235,409,240 | 319,092,214 |

5. Examiners of Public Accounts

| | | | |
|--|--|--|-----------|
| (a) Legislative Support-Audit Services Program | | | 1,000,000 |
|--|--|--|-----------|

For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

| | | | |
|--|-----------|--|-----------|
| (1) ASETF | 1,000,000 | | |
| Total Examiners of Public Accounts | 1,000,000 | | 1,000,000 |

6. Alabama Film Commission

| | | | |
|---|--|--|--------|
| (a) Promotional Development Program | | | 70,000 |
|---|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 70,000 | | |
| Total Alabama Film Commission .. | 70,000 | | 70,000 |

7. Alabama School of Fine Arts

| | | | |
|-----------------------------|--|--|---------|
| (a) Fine Arts Program | | | 891,855 |
|-----------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--------|---------|
| (1) ASETF | 800,000 | | |
| (2) Federal and Local Funds | | 91,855 | |
| Total Alabama School of Fine Arts | 800,000 | 91,855 | 891,855 |

8. Alabama Firefighters' Personnel Standards and Education Commission

| | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing & Regulation Program | | | 150,000 |
|--|--|--|---------|

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SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 150,000 | |
| Total Alabama Firefighters' Personnel Standards and Education Commission | 150,000 | 150,000 |

9. Health Department

| | | |
|---|--|---------|
| (a) Health Support Services Program | | 500,000 |
|---|--|---------|

For immunization of pre-school children and students and for public school food sanitation.

| | | |
|---|--|---------|
| (b) For the Division of Maternal and Child Health | | 200,000 |
|---|--|---------|

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

SOURCE OF FUNDS:

| | | |
|-------------------------------|---------|---------|
| (1) ASETF | 700,000 | |
| Total Health Department | 700,000 | 700,000 |

10. Commission on Higher Education

| | | |
|--|--|---------|
| (a) Planning & Coordination Services Program | | 462,430 |
|--|--|---------|

| | | |
|---|--|-----------|
| (b) Support of Other Educational Activities Program | | 2,538,800 |
|---|--|-----------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,725,400 | | |
| (2) Federal and Local Funds | | 1,275,830 | |
| Total Commission on Higher Education | 1,725,400 | 1,275,830 | 3,001,230 |

No salary of any employee of the Commission shall exceed the sal-

ary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

| | |
|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | 542,891 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses | 57,000 | | |
| (2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended | | 485,891 | |
| Total Alabama Board of Nursing ... | 57,000 | 485,891 | 542,891 |

12. Alabama Historical Commission

| | |
|--|---------|
| (a) Historical Resource Management Program | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 100,000 | |
| Total Alabama Historical Commission | 100,000 | 100,000 |

13. Alabama Industrial Development Training Institute

| | |
|------------------------------------|-----------|
| (a) Industrial Training Program .. | 1,885,752 |
|------------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 1,885,752 | |
| Total Alabama Industrial Development Training Inst. | 1,885,752 | 1,885,752 |

14. Junior College School System

| | |
|--|------------|
| (a) Academic Instruction and Institutional Support Program | 67,348,063 |
|--|------------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|------------|-----------|
| (1) ASETF | 39,550,000 | |
| (2) Federal and Local Funds | | 9,050,476 |

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| | | |
|------------------------------------|------------|----------------------------|
| (3) State Funds | 245,787 | |
| (4) Other Funds | 19,001,800 | |
| Total Junior College School System | 39,550,000 | 28,298,063 67,848,063 |

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted by ranks to all full-time instructors, librarians and counselors in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute

(a) Support of Other Educational

| | |
|--------------------------|---------|
| Activities Program | 199,000 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 199,000 | |
| Total Alabama Law Institute | 199,000 | 199,000 |

16. Legislature

(a) Legislative Operations & Support Program

1,000,000

SOURCE OF FUNDS:

| | | |
|-------------------------|-----------|-----------|
| (1) ASETF | 1,000,000 | |
| Total Legislature | 1,000,000 | 1,000,000 |

17. Public Library Service

| | | |
|---|--|-----------|
| (a) Public Library Services Program | | 3,782,066 |
|---|--|-----------|

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 2,313,000 | |
| (2) ASETF for equipment purchases for physically handicapped and blind | 47,000 | |
| (3) ASETF for operation of facility | 390,000 | |
| (4) Federal and Local Funds | | 1,032,066 |
| Total Public Library Services | 2,750,000 | 1,032,066 |
| | | 3,782,066 |

18. Marine Environmental Sciences Consortium

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 778,750 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 568,750 | |
| (2) Federal and Local Funds | | 60,000 |
| (3) University of Alabama | | 150,000 |
| Total Marine Environmental Sciences Consortium | 568,750 | 210,000 |
| | | 778,750 |

19. Medical Scholarships Board

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 555,000 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|---------------------------------------|---------|---------|
| (1) ASETF | 555,000 | |
| Total Medical Scholarship Board | 555,000 | 555,000 |

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program

| | | |
|-------------------------------------|--|-------------|
| (a) Financial Assistance Program .. | | 576,476,419 |
|-------------------------------------|--|-------------|

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SOURCE OF FUNDS:

| | | | |
|---|-------------|------------|-------------|
| (1) ASETF | 551,799,934 | | |
| (2) Public School Fund | | 20,000,000 | |
| (3) Local Effort | | 4,676,485 | |
| Total Minimum Program Fund | 551,799,934 | 24,676,485 | 576,476,419 |
| <hr/> | | | |
| (aa) To be distributed by the State Board of Education for: | | | |
| Local Boards | 480,149,844 | | |
| Board of Adjustment Awards | 150,000 | | |
| Teachers Sick Leave | 3,890,178 | | |
| Teachers Personal Leave | 1,296,726 | | |
| Hospital-Medical Insurance Assistance | 9,427,961 | | |
| Funds to Replace Fees | 10,488,225 | | |
| Maintenance | 6,000,000 | | |
| Sick Leave for Support Personnel .. | 800,000 | | |
| Additional for Special Education .. | 25,550,000 | | |
| Salary Increases for Lunchroom Workers | 7,747,000 | | |
| Insurance for Support Staff | 6,300,000 | | |

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Maximum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The

Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P. L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act and 106 and P. L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the follownig: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades

7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchases orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund Calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV

teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan (s) and the carrier (s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

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In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand two hundred ten dollars (\$1,210) per annum; Rank I teachers not less than one thousand ninety five dollars (\$1,095) per annum; Rank II teachers not less than nine hundred eighty dollars (\$980) per annum; Rank III teachers not less than eight hundred sixty five dollars (\$865) per annum; Rank IV teachers not less than seven hundred fifty dollars (\$750) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

| | |
|---|---------|
| (a) Employment and Social Opportunities Program | 590,051 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 200,000 | | |
| (2) Federal and Local Funds | | 390,051 | |
| Total Alabama Occupational Information System | 200,000 | 390,051 | 590,051 |

22. Alabama Peace Officers Standards and Training Commission

| | |
|--|--------|
| (a) Professional and Occupational Licensing and Regulation Program | 80,000 |
|--|--------|

| | |
|--|---------|
| (b) Certified Law Enforcement Academy Programs | 246,200 |
|--|---------|

| | |
|-------------------------------------|--------|
| Jacksonville State University | 61,550 |
|-------------------------------------|--------|

| | |
|----------------------------|--------|
| University of Alabama | 61,550 |
|----------------------------|--------|

| | |
|---------------------------------|--------|
| James H. Faulkner Jr. Col. | 61,550 |
|---------------------------------|--------|

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Troy State Univ.
Montgomery 61,550

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 326,200 | |
| Total Alabama Peace Officers Standards and Training Com- mission | 326,200 | 326,200 |

23. Commission on Physical Fitness

(a) Advisory Services Program 83,000

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF | 83,000 | |
| Total Commission on Physical Fit- ness | 83,000 | 83,000 |

24. Post - Secondary Vocational-
Technical Education System

(a) Instructional and Institutional
Support Program 45,972,443

SOURCE OF FUNDS:

| | | |
|--|------------|----------------------------|
| (1) ASETF | 32,451,521 | |
| (2) Federal and Local Funds | 815,457 | |
| (3) Other Funds | 12,705,465 | |
| Total Post - Secondary Vocational- Technical Education System | 32,451,521 | 13,520,922 45,972,443 |

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessmer State Technical College; (6) John C. Calhoun State Community College-Technical Division (7) Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas McArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnellely State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College (26) George Corley Wallace State Community College-Technical

Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted by ranks to all full-time instructors, librarians and counselors in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

25. Social Security

| | |
|---|------------|
| (a) For State's share of Social Security, Estimated | 47,249,440 |
|---|------------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|------------|------------|
| (1) ASETF | 47,249,440 | |
| Total Social Security | 47,249,440 | 47,249,440 |

26. Sports Hall of Fame

| | |
|---|--------|
| (a) Historical Resources Management Program | 51,894 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 30,000 | |
| (2) Sports Hall of Fame Operating Fund | | 21,894 |
| Total Sports Hall of Fame | 30,000 | 21,894 |
| | | 51,894 |

27. Alabama Education Study Commission

| | |
|-------------------------------------|---------|
| (a) Advisory Services Program | 210,000 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 210,000 | |
| Total Alabama Education Study Commission | 210,000 | 210,000 |

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

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28. Teachers' Retirement System of Alabama

| | |
|--|-------------|
| (a) Retirement Systems Program, Estimated | 142,396,640 |
|--|-------------|

SOURCE OF FUNDS:

| | |
|---|-------------|
| (1) ASETF - Teachers' Retirement System | 140,297,462 |
|---|-------------|

| | |
|--|-----------|
| (2) ASETF-Teachers' Special Pension Fund | 2,099,178 |
|--|-----------|

| | | |
|---|-------------|-------------|
| Total Retirement Systems Program (State's Share) | 142,396,640 | 141,396,640 |
|---|-------------|-------------|

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

| | |
|------------------------------|--------|
| (a) Regulation Program | 10,000 |
|------------------------------|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 10,000 |
|-----------------|--------|

| | | |
|-------------------------------------|--------|--------|
| Total State Tenure Commission | 10,000 | 10,000 |
|-------------------------------------|--------|--------|

30. Educational TV Commission

| | |
|---|-----------|
| (a) Educational TV Services Program | 2,885,500 |
|---|-----------|

| | |
|--|---------|
| (b) Public Radio Service Program | 195,000 |
|--|---------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 2,205,500 |
|-----------------|-----------|

| | |
|-----------------------------------|---------|
| (2) Federal and Local Funds | 875,000 |
|-----------------------------------|---------|

| | | | |
|------------------------------------|-----------|---------|-----------|
| Total Educational TV Commission .. | 2,205,500 | 875,000 | 3,080,500 |
|------------------------------------|-----------|---------|-----------|

31. Veterans Education Benefits

| | |
|--|-----------|
| (a) Administration of Veterans Affairs Program | 1,350,000 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,350,000 | |
| Total Veterans Education Benefits | 1,350,000 | 1,350,000 |

The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

| | |
|---|-------|
| (a) Support of other Educational Activities Program | 1,000 |
|---|-------|

SOURCE OF FUNDS:

| | | |
|--|-------|-------|
| (1) ASETF | 1,000 | |
| Total John M. Will Journalism Scholarship Fund | 1,000 | 1,000 |

33. Youth Services

| | |
|----------------------------------|-----------|
| (a) Youth Services Program | 8,906,171 |
|----------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|-----------|-----------|
| (1) ASETF | 7,221,171 | |
| (2) Federal and Local Funds | 1,685,000 | |
| Total Youth Services | 7,221,171 | 1,685,000 |
| | | 8,906,171 |

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

SECTION 4.

B. NON-STATE EDUCATIONAL AGENCIES:

| | |
|---|--------|
| 1. American Legion Auxiliary Scholarship Fund | 10,000 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 10,000 | |
| Total American Legion Auxiliary Scholarship Fund | 10,000 | 10,000 |

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(To be expended under the provisions of Act No. 676, 1978 Regular Session.)

2. Birmingham Symphony

| | |
|-----------------------------|--------|
| (a) Fine Arts Program | 95,000 |
|-----------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---------------------------------|--------|--------|
| (1) ASETF | 95,000 | |
| Total Birmingham Symphony | 95,000 | 95,000 |

3. Birmingham Training Center for Brain Injured Children

| | |
|--|--------|
| (a) Non - Institutional Treatment and Care Program | 30,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF | 30,000 | |
| Total Birmingham Training Center for Brain Injured Children | 30,000 | 30,000 |

4. East Alabama Regional Child Development Program

| | |
|-------------------------------------|---------|
| (a) Financial Assistance Program .. | 580,373 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 525,000 | |
| (2) Federal and Local Funds | 55,373 | |
| Total East Alabama Regional Child Development Program | 525,000 | 55,373 |
| | | 580,373 |

Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.

5. Environmental Quality Association

| | |
|---|---------|
| (a) Environmental Education Program | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 175,000 | |
| Total Environmental Quality Association | 175,000 | 175,000 |

6. Montgomery Institute for Neurological Development

| | | |
|---|--|--------|
| (a) Non - Institutional Treatment and Care Program | | 25,000 |
|---|--|--------|

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF | 25,000 | |
| Total Montgomery Institute of Neu- rological Development | 25,000 | 25,000 |

7. Opportunities Industrialization
Centers

| | |
|---|---------|
| (a) Manpower Development and Employment Opportunities Pro- gram | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 175,000 | |
| Total Opportunities Industrializa- tion Centers | 175,000 | 175,000 |

8. Sylacauga Nurses Training School

| | |
|--|---------|
| (a) Support of Other Educational Activities Program | 348,984 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF | 58,000 | | |
| (2) Federal and Local Funds | | 17,500 | |
| (3) Other Funds | | 273,484 | |
| Total Sylacauga Nurses Training School | 58,000 | 290,984 | 348,984 |

(The above includes \$18,000 for
Nursing Scholarships.)

(To be expended in accordance
with Act No. 2393, 1971 Regular
Session.)

9. Hall of Fame Bowl Game:

| | |
|--|--------|
| (a) Tourism and Travel Promotion | 50,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|--------|--------|
| (1) ASETF | 50,000 | |
| Total Hall of Fame Bowl Game | 50,000 | 50,000 |

10. Alabama Shakespeare Festival

| | |
|-----------------------------|-------|
| (a) Fine Arts Program | 2,500 |
|-----------------------------|-------|

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SOURCE OF FUNDS:

| | | |
|--|-------|-------|
| (1) ASETF | 2,500 | |
| Total Alabama Shakespeare Festival | 2,500 | 2,500 |

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

| | |
|---|------------|
| (a) Instruction | 22,187,787 |
| (b) Transfers | 833,373 |
| (c) Libraries | 1,405,171 |
| (d) Academic Support (excl. Libr.) | 4,511,867 |
| (e) Student Services | 1,558,251 |
| (f) Institutional Support | 6,550,441 |
| (g) Operation & Maintenance of Physical Plant | 5,646,479 |
| (h) Scholarships and Fellowships .. | 648,766 |
| (i) Capital Outlay | 1,095,259 |
| (j) Debt Service | 292,240 |

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 31,323,728 | | |
| (2) Other Sources | | 13,405,906 | |
| Total Operations & Maintenance, Extension, Public Service & Research | 31,323,728 | 13,405,906 | 44,729,634 |

2. Extension, Public Service & Research:

| | |
|--------------------------|-----------|
| (a) Research | 133,829 |
| (b) Public Service | 2,665,090 |
| (c) Capital Outlay | 20,720 |
| (d) Debt Service | 57,364 |
| (e) Transfers | 16,594 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,850,000 | | |
| (2) Other Sources | | 1,043,597 | |
| Total Extension, Public Service, and Research | 1,850,000 | 1,043,597 | 2,893,597 |

3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

| | | | |
|--------------------------|--|--|---------|
| (a) Public Service | | | 125,000 |
|--------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Emergency Medical Services | 125,000 | | 125,000 |

4. Center for Emotionally Disturb-
ed Children:

| | | | |
|--|--|--|---------|
| (a) Academic Support (excl. Libr.) | | | 472,462 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 472,462 | | |
| Total Center for Emotionally Dis- turbed Children | 472,462 | | 472,462 |

5. Nursing Scholarships:

| | | | |
|--|--|--|--------|
| (a) Scholarships and Fellowships | | | 18,000 |
|--|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |

6. School of Mines:

| | | | |
|--------------------------|--|--|---------|
| (a) Research | | | 859,000 |
| (b) Public Service | | | 200,000 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------|-----------|--|-----------|
| (1) ASETF | 1,059,000 | | |
| Total School of Mines | 1,059,000 | | 1,059,000 |

7. Family Practice Center:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 312,285 |
| (b) Academic Support (excl. Libr.) | | | 429,360 |

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SOURCE OF FUNDS:

| | | | |
|------------------------------------|----------------|--|----------------|
| (1) ASETF | 741,645 | | |
| Total Family Practice Center | <u>741,645</u> | | <u>741,645</u> |

8. Alabama Museum of Natural
History-Mound State Park and
Archaeological Service:

| | | | |
|--------------------------|--|--|---------|
| (a) Public Service | | | 182,195 |
| (b) Capital Outlay | | | 6,705 |

SOURCE OF FUNDS:

| | | | |
|---|----------------|---------------|----------------|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | <u>38,900</u> | |
| Total Alabama Museum of Natural History-Mound State Park and Archaeological | <u>150,000</u> | <u>38,900</u> | <u>188,900</u> |

9. College of Community Health
Sciences:

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 1,515,047 |
| (b) Libraries | | | 135,377 |
| (c) Academic Support (excl. Libr.) | | | 409,836 |
| (d) Operation & Maintenance of Physical Plant | | | 169,412 |
| (e) Capital Outlay | | | 30,314 |
| (f) Hamilton Family Residency Program | | | 175,000 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|----------------|------------------|
| (1) ASETF | 2,329,986 | | |
| (2) Other Sources | | <u>105,000</u> | |
| Total College of Community Health Sciences | <u>2,329,986</u> | <u>105,000</u> | <u>2,434,986</u> |

10. Auxiliary Enterprises:

| | | | |
|--------------------------------------|--|--|------------|
| (a) Scholarships & Fellowships | | | 421,679 |
| (b) Capital Outlay | | | 37,652 |
| (c) Auxiliary Enterprises | | | 10,517,791 |
| (d) Debt Service | | | 1,457,481 |
| (e) Transfer to Plant Funds | | | 526,900 |

SOURCE OF FUNDS:

| | | |
|--|-------------------|-------------------|
| (1) Other Sources | 12,961,503 | |
| Total Auxiliary Enterprises | <u>12,961,503</u> | <u>12,961,503</u> |
| 11. Restricted Funds: | | |
| (a) Instruction | | 6,310,584 |
| (b) Research | | 1,120,746 |
| (c) Public Service | | 934,713 |
| (d) Academic Support (excl. Libr.) | | 79,116 |
| (e) Student Services | | 102,883 |
| (f) Institutional Support | | 308,817 |
| (g) Operation & Maintenance of Physical Plant | | 138,348 |
| (h) Scholarships and Fellowships .. | | 795,308 |
| (i) Capital Outlay | | 347,637 |

SOURCE OF FUNDS:

| | | |
|------------------------------|-------------------|-------------------|
| (1) State Funds | 3,185,481 | |
| (2) Federal Funds | 5,692,671 | |
| (3) Other Sources | 1,260,000 | |
| Total Restricted Funds | <u>10,138,152</u> | <u>10,138,152</u> |

12. Gadsden Cooperative Upper
Division Program:

| | |
|--------------------------|---------|
| (a) Instruction | 267,168 |
| (b) Capital Outlay | 15,992 |

SOURCE OF FUNDS:

| | | |
|---|----------------|----------------|
| (1) ASETF | 193,189 | |
| (2) Other Sources | 89,971 | |
| Total Gadsden Cooperative Upper Division Program | <u>193,189</u> | <u>283,160</u> |

13. Rural Infant Development En-
vironment Program

125,000

SOURCE OF FUNDS:

| | | |
|---|-------------------|-------------------|
| (1) ASETF | 125,000 | |
| Total Rural Infant Development Environment Program | <u>125,000</u> | <u>125,000</u> |
| TOTAL UNIVERSITY OF ALA- BAMA | <u>38,388,010</u> | <u>37,783,029</u> |
| | | <u>76,171,039</u> |

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B. University of Alabama in Birmingham

1. School of Medicine:

| | |
|---|------------|
| (a) Instruction | 14,013,030 |
| (b) Research | 17,975,212 |
| (c) Public Service | 5,638,999 |
| (d) Libraries | 264,132 |
| (e) Academic Support (excl. Libr.) | 1,361,489 |
| (f) Student Services | 401,368 |
| (g) Institutional Support | 2,924,249 |
| (h) Operation & Maintenance of Physical Plant | 3,596,996 |
| (i) Scholarships and Fellowships .. | 115,000 |
| (j) Capital Outlay | 900,000 |
| (k) Equipment - Other than Automotive (For Cavitron Laser Machine) | 70,000 |
| (l) Training on Special Cancer Detection for Rehabilitating for Speech & Hearing Disorders .. | 45,000 |
| (m) Debt Service | 724,221 |
| (n) Hyperthermia Program | 109,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|------------|------------|
| (1) ASETF | 16,199,000 | | |
| (2) State Funds | | 1,550,000 | |
| (3) Federal Funds | | 22,400,000 | |
| (4) Local Funds | | 550,000 | |
| (5) Other Sources | | 7,439,696 | |
| Total School of Medicine | 16,199,000 | 31,939,696 | 48,138,696 |

2. Family and Other Primary Care Residency Programs:

| | |
|---|-----------|
| (a) Instruction | 1,723,390 |
| (b) Institutional Support | 18,590 |
| (c) Operation & Maintenance of Physical Plant | 20,020 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|--|-----------|
| (1) ASETF | 1,762,000 | | |
| Total Family and Other Primary Care Residency Programs | 1,762,000 | | 1,762,000 |

The above appropriation shall be
expended for residency programs
as follows:

| | |
|--------------------------|---------|
| Anniston | 230,000 |
| East End | 230,000 |
| Jefferson County | 230,000 |
| Montgomery | 230,000 |
| Montg.-Internal Medicine | 220,000 |
| Heflin | 50,000 |
| Selma | 342,000 |
| Gadsden | 230,000 |

3. University College:

| | |
|--|------------|
| (a) Instruction | 10,763,800 |
| (b) Research | 453,100 |
| (c) Public Service | 1,061,300 |
| (d) Libraries | 1,357,200 |
| (e) Academic Support (excl. Lib.) | 2,467,492 |
| (f) Student Services | 903,284 |
| (g) Institutional Support | 2,248,924 |
| (h) Operation & Maintenance of Physical Plant | 1,675,854 |
| (i) Scholarships and Fellowships .. | 120,000 |
| (j) Capital Outlay | 400,000 |
| (k) For Vocational Teacher Train- ing | 125,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|-----------|------------|
| (1) ASETF | 13,452,764 | | |
| (2) Federal Funds | | 382,821 | |
| (3) Local Funds | | 656,903 | |
| (4) Other Sources | | 7,083,466 | |
| Total University College | 13,452,764 | 8,123,190 | 21,575,954 |

4. University Hospital and Clinics:

| | |
|------------------------|------------|
| (a) Hospital | 81,914,088 |
| (b) Debt Service | 2,798,000 |

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 5,907,000 |
|-----------------|-----------|

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| | | | |
|---|-----------|------------|------------|
| (2) Other Sources | | 78,805,088 | |
| Total University Hospital and Clinics | 5,907,000 | 78,805,088 | 84,712,088 |

5. School of Optometry:

| | |
|---|-----------|
| (a) Instruction | 2,111,241 |
| (b) Research | 91,684 |
| (c) Public Service | 62,188 |
| (d) Libraries | 5,477 |
| (e) Academic Support (excl. Libr.) | 296,586 |
| (f) Student Services | 33,263 |
| (g) Institutional Support | 154,370 |
| (h) Operation & Maintenance of Physical Plant | 315,882 |
| (i) Debt Service | 26,125 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,021,500 | | |
| (2) State Funds | | 267,731 | |
| (3) Other Sources | | 807,585 | |
| Total School of Optometry | 2,021,500 | 1,075,316 | 3,096,816 |

6. School of Public and Allied Health:

| | |
|---|-----------|
| (a) Instruction | 1,890,445 |
| (b) Research | 64,469 |
| (c) Public Service | 245,500 |
| (d) Libraries | 27,785 |
| (e) Academic Support (excl. Libr.) | 484,513 |
| (f) Student Services | 60,197 |
| (g) Institutional Support | 230,800 |
| (h) Operation & Maintenance of Physical Plant | 257,771 |
| (i) Scholarships and Fellowships .. | 16,000 |
| (j) Debt Service | 29,514 |

SOURCE OF FUNDS:

| | | | |
|-------------------------|-----------|-----------|--|
| (1) ASETF | 1,838,473 | | |
| (2) Federal Funds | | 1,089,642 | |

| | | | |
|---|-----------|-----------|-----------|
| (3) Other Sources | | 378,879 | |
| Total School of Community and Allied Health Resources | 1,838,473 | 1,468,521 | 3,306,994 |

7. Regional Technical Institute:

| | | | |
|---|--|--|-----------|
| (a) Instruction | | | 1,382,972 |
| (b) Research | | | 24,750 |
| (c) Public Service | | | 95,495 |
| (d) Libraries | | | 35,627 |
| (e) Academic Support (excl. Libr.) | | | 210,097 |
| (f) Student Services | | | 63,388 |
| (g) Institutional Support | | | 102,146 |
| (h) Operation & Maintenance of Physical Plant | | | 292,825 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|-----------|---------|-----------|
| (1) ASETF | 1,697,245 | | |
| (2) Federal Funds | | 349,873 | |
| (3) Other Sources | | 160,182 | |
| Total Regional Technical Institute .. | 1,697,245 | 510,055 | 2,207,300 |

8. Joint Health Sciences Program:

| | | | |
|---|--|--|-----------|
| (a) Instruction | | | 1,675,968 |
| (b) Libraries | | | 32,400 |
| (c) Academic Support (excl. Libr.) | | | 185,700 |
| (d) Student Services | | | 12,000 |
| (e) Institutional Support | | | 280,400 |
| (f) Operation & Maintenance of Physical Plant | | | 572,164 |
| (g) Scholarships and Fellowships .. | | | 100,000 |
| (h) Capital Outlay | | | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|---------|-----------|
| (1) ASETF | 2,392,488 | | |
| (2) Federal Funds | | 175,800 | |
| (3) Other Sources | | 340,344 | |
| Total Joint Health Sciences Program | 2,392,488 | 516,144 | 2,908,632 |

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9. Department of Pediatrics:

(a) Instruction 318,000

SOURCE OF FUNDS:

(1) ASETF 318,000

Total Department of Pediatrics 318,000

10. Center for Labor Education & Research:

(a) Research 43,070

(b) Public Service 172,270

(c) Institutional Support 30,040

(d) Operation & Maintenance of
Physical Plant 23,794

SOURCE OF FUNDS:

(1) ASETF 269,174

Total Center for Labor Education
and Research 269,174

11. Student Nurses Loans:

(a) Scholarships & Fellowships 12,000

SOURCE OF FUNDS:

(1) ASETF 12,000

Total Student Nurses Loans 12,000

12. Special Mental Health:

(a) Instruction 1,684,908

(b) Research 362,451

(c) Public Service 91,707

(d) Institutional Support 95,246

(e) Operation & Maintenance of
Physical Plant 80,877

(f) Transfers 567,710

SOURCE OF FUNDS:

(1) Special Mental Health Fund .. 2,882,899

Total Special Mental Health 2,882,899

13. Center for Developmental and Learning Disorders:

(a) Instruction 1,404,635

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| | |
|--------------------------|-----------|
| (b) Research | 25,083 |
| (c) Public Service | 1,078,560 |

SOURCE OF FUNDS:

| | | |
|--|------------------|------------------|
| (1) Special Mental Health Fund | 487,250 | |
| (2) Federal Funds | 1,482,501 | |
| (3) Other Sources | 538,527 | |
| Total Center for Development and Learning Disorders | <u>2,508,278</u> | <u>2,508,278</u> |

14. School of Dentistry:

| | |
|--|-----------|
| (a) Instruction | 5,525,057 |
| (b) Research | 3,871,173 |
| (c) Public Service | 561,287 |
| (d) Libraries | 102,052 |
| (e) Academic Support (excl. Libr.) | 574,044 |
| (f) Student Services | 127,565 |
| (g) Institutional Support | 303,661 |
| (h) Operation & Maintenance of Physical Plant | 2,079,120 |
| (i) Debt Service | 85,000 |

SOURCE OF FUNDS:

| | | |
|---------------------------------|------------------|-------------------|
| (1) ASETF | 6,938,000 | |
| (2) Federal Funds | 4,100,000 | |
| (3) Other Sources | 2,690,959 | |
| Total School of Dentistry | <u>6,938,000</u> | <u>6,790,959</u> |
| | | <u>13,728,959</u> |

15. School of Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships & Fellowships | 88,400 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---|---------------|---------------|
| (1) ASETF | 88,400 | |
| Total School of Nursing Scholar- ships | <u>88,400</u> | <u>88,400</u> |

16. System Medical Education Pro-
gram:

| | |
|-----------------------|---------|
| (a) Instruction | 503,500 |
|-----------------------|---------|

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SOURCE OF FUNDS;

| | | | |
|---|---------|--|-----------|
| (1) ASETF | 503,500 | | |
| Total System Medical Education Program | 503,500 | | 503,500 |
| 17. School of Nursing: | | | |
| (a) Instruction | | | 2,621,714 |
| (b) Research | | | 51,134 |
| (c) Public Service | | | 45,000 |
| (d) Libraries | | | 34,080 |
| (e) Academic Support (excl. Libr.) | | | 399,325 |
| (f) Student Services | | | 133,991 |
| (g) Institutional Support | | | 248,857 |
| (h) Operation & Maintenance of Physical Plant | | | 317,983 |
| (i) Scholarships & Fellowships | | | 20,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,546,102 | | |
| (2) Federal Funds | | 719,603 | |
| (3) Other Sources | | 606,379 | |
| Total School of Nursing | 2,546,102 | 1,325,982 | 3,872,084 |

18. Health - Related Research and Public Service:

| | | | |
|---|--|--|-----------|
| (a) Instruction | | | 925,900 |
| (b) Research | | | 670,900 |
| (c) Public Service | | | 1,051,100 |
| (d) Academic Support (excl. Libr.) | | | 24,900 |
| (e) Institutional Support | | | 135,500 |
| (f) Operation & Maintenance of Physical Plant | | | 141,654 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|--------|-----------|
| (1) ASETF | 2,889,654 | | |
| (2) Other Sources | | 60,300 | |
| Total Health-Related Research and Public Service | 2,889,654 | 60,300 | 2,949,954 |

(These appropriations under Sub-section B, University of Alabama

in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the state of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

| | |
|--------------------------|---------|
| (a) Instruction | 125,000 |
| (b) Public Service | 40,000 |

SOURCE OF FUNDS:

| | | |
|----------------------------------|----------------|----------------|
| (1) ASETF | 165,000 | |
| Total Emergency Medical Training | <u>165,000</u> | <u>165,000</u> |

20. Urban Research and Public
Service:

| | |
|--|--------|
| (a) Research | 46,800 |
| (b) Public Service | 97,870 |
| (c) Libraries | 17,020 |
| (d) Operation & Maintenance of Physical Plant | 8,522 |

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 170,212 | |
| Total Urban Research & Public Service | <u>170,212</u> | <u>170,212</u> |

| | |
|---------------------------------|---------|
| 21. Hypertension Research | 400,000 |
|---------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|----------------|----------------|
| (1) ASETF | 400,000 | |
| Total Hypertension Research | <u>400,000</u> | <u>400,000</u> |

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22. Arthritis Research _____ 400,000

SOURCE OF FUNDS:

| | | |
|--|------------|----------------------------|
| (1) ASETF _____ | 400,000 | |
| Total Arthritis Research _____ | 400,000 | 400,000 |
| <hr/> | | |
| TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM _____ | 59,970,512 | 136,006,428 195,976,940 |
| | | <hr/> |

C. University of Alabama in Huntsville:

(1) Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction _____ | 4,439,805 |
| (b) Research _____ | 1,514,883 |
| (c) Public Service _____ | 277,652 |
| (d) Libraries _____ | 330,645 |
| (e) Academic Support (excl. Lib.) _____ | 264,531 |
| (f) Student Service _____ | 536,212 |
| (g) Institutional Support _____ | 1,008,079 |
| (h) Operation and Maintenance of Physical Plant _____ | 1,000,930 |
| (i) Scholarships and Fellowships .. | 740,577 |
| (j) Auxiliary Enterprises _____ | 1,075,163 |
| (k) Equipment Purchases _____ | 530,000 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-------------------------|
| (1) ASETF _____ | 5,691,184 | |
| (2) Federal Funds _____ | | 1,988,825 |
| (3) Other Sources _____ | | 3,938,468 |
| Total Operation & Maintenance ____ | 5,791,184 | 5,927,293 11,718,477 |
| | | <hr/> |

2. School of Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF _____ | 18,000 | |
| Total School of Nursing Scholar- ships _____ | 18,000 | 18,000 |
| | | <hr/> |

(To be expended in accordance with
Act 2290, 1971 Regular Session.)

3. School of Primary Medical Care:

| | |
|--|-----------|
| (a) Instruction | 1,704,937 |
| (b) Research | 435,865 |
| (c) Public Service | 16,423 |
| (d) Libraries | 29,906 |
| (e) Academic Support (excl. Lib.) | 550,623 |
| (f) Student Services | 60,175 |
| (g) Institutional Support | 365,534 |
| (h) Operation and Maintenance of Physical Plant | 312,094 |
| (i) Scholarships and Fellowships .. | 2,800 |
| (j) Equipment Purchases | 47,567 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|---------|-----------|
| (1) ASETF | 2,642,511 | | |
| (2) Federal Funds | | 440,228 | |
| (3) Other Sources | | 443,185 | |
| Total School of Primary Medical Care | 2,642,511 | 883,413 | 3,525,924 |

4. Johnson Environmental &
Energy Center:

| | |
|--|---------|
| (a) Research | 338,626 |
| (b) Public Service | 201,730 |
| (c) Institutional Support | 23,454 |
| (d) Operation and Maintenance of Physical Plant | 44,007 |
| (e) Equipment Purchase | 27,282 |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 269,191 | | |
| (2) State Funds | | 58,911 | |
| (3) Federal Funds | | 305,168 | |
| (4) Other Sources | | 1,829 | |
| Total Center for Environmental and Energy Studies | 269,191 | 365,908 | 635,099 |

5. Ambulatory Care Center:

| | |
|-----------------------------------|---------|
| (a) Instruction | 480,223 |
| (b) Academic Support (excl. Lib.) | 466,201 |

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| | |
|--|--------|
| (c) Institutional Support | 72,918 |
| (d) Operation and Maintenance of Physical Plant | 88,682 |
| (e) Equipment Purchases | 50,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|---------|-----------|
| (1) ASETF | 646,403 | | |
| (2) Other Sources | | 511,621 | |
| Total Ambulatory Care Center | 646,403 | 511,621 | 1,158,024 |

6. School of Nursing:

| | |
|--|---------|
| (a) Instruction | 538,238 |
| (b) Academic Support (excl. Libr.) | 197,272 |
| (c) Institutional Support | 108,347 |
| (d) Operation and Maintenance of Physical Plant | 137,722 |
| (e) Equipment Purchases | 2,700 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 792,027 | | |
| (2) Other Sources | | 192,252 | |
| Total School of Nursing | 792,027 | 192,252 | 984,279 |

7. Paramedic Training:

| | |
|--|--------|
| (a) Instruction | 7,750 |
| (b) Public Service | 86,000 |
| (c) Institutional Support | 16,730 |
| (d) Operation and Maintenance of Physical Plant | 14,520 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Paramedic Training | 125,000 | | 125,000 |

8. Alabama Solar Energy Center:

| | |
|--|--------|
| (a) Research | 36,947 |
| (b) Public Service | 36,947 |
| (c) Institutional Support | 10,226 |
| (d) Operation and Maintenance of Physical Plant | 19,188 |

| | | | |
|-------------------------------|--|--|--------|
| (e) Equipment Purchases | | | 14,349 |
|-------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|--|------------|-----------|------------|
| (1) ASETF | 117,657 | | |
| Total Solar Energy Center | 117,657 | | 117,657 |
| TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE | 10,401,973 | 7,880,487 | 18,282,460 |

II. Board of Trustees of Alabama
A & M Univ.

A. Alabama A & M University

1. Operation and Maintenance

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 5,772,727 |
| (b) Research | | | 1,124,500 |
| (c) Public Service | | | 1,680,425 |
| (d) Libraries | | | 625,400 |
| (e) Academic Support (excl. Lib.) | | | 671,455 |
| (f) Student Services | | | 588,550 |
| (g) Institutional Support | | | 1,840,000 |
| (h) Operation and Maintenance of Physical Plant | | | 2,291,814 |
| (i) Scholarships and Fellowships .. | | | 150,000 |
| (j) Auxiliary Enterprises | | | 2,900,000 |
| (k) Equipment Purchases | | | 241,814 |
| (l) Automotive Equipment | | | 65,000 |
| (m) Debt Service | | | 451,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|-----------|------------|------------|
| (1) ASETF | 8,100,000 | | |
| (2) Federal Funds | | 5,027,000 | |
| (3) Other Sources | | 5,275,685 | |
| Total Operation & Maintenance | 8,100,000 | 10,302,685 | 18,402,685 |

| | | | |
|--------------------------------------|--|--|---------|
| 2. Vocational Teacher Training | | | 250,000 |
|--------------------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|-----------|------------|------------|
| (1) ASETF | 250,000 | | |
| Total Vocational Teacher Trng. | 250,000 | | 250,000 |
| TOTAL ALABAMA A & M UNI- VERSITY | 8,350,000 | 10,302,685 | 18,652,685 |

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III. Board of Trustees of Alabama
State University

A. Alabama State University

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,215,310 |
| (b) Libraries | 670,860 |
| (c) Academic Support (excl. Libr.) | 511,880 |
| (d) Student Services | 888,340 |
| (e) Institutional Support | 1,259,780 |
| (f) Operation and Maintenance of Physical Plant | 1,337,810 |
| (g) Scholarships and Fellowships .. | 3,807,340 |
| (h) Auxiliary Enterprises | 2,424,780 |
| (i) Research | 93,610 |
| (j) Public Service | 93,820 |
| (k) Debt Service | 920,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|------------|------------|
| (1) ASETF | 7,118,175 | | |
| (2) Federal Funds | | 4,271,910 | |
| (3) Other Sources | | 5,833,445 | |
| Total Alabama State University | 7,118,175 | 10,105,355 | 17,223,530 |

IV. Board of Trustees of Auburn
University

A. Auburn University

1. Operation and Maintenance:

| | |
|--|------------|
| (a) Instruction | 30,016,035 |
| (b) Research | 5,987,159 |
| (c) Public Service | 4,036,563 |
| (d) Libraries | 3,581,220 |
| (e) Academic Support (excl. Libr.) | 3,310,474 |
| (f) Student Services | 3,273,554 |
| (g) Institutional Support | 4,651,892 |
| (h) Operation and Maintenance of Physical Plant | 7,476,079 |
| (i) Scholarships and Fellowships .. | 1,400,000 |
| (j) Auxiliary Enterprises | 15,040,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-------------------|-------------------|-------------------|
| (1) ASETF | 34,962,440 | | |
| (2) Federal Funds | | 152,350 | |
| (3) Other Sources | | 43,637,906 | |
| (4) State Funds | | 20,280 | |
| Total Operation and Maintenance .. | <u>34,962,440</u> | <u>43,810,536</u> | <u>78,772,976</u> |

2. School of Nursing:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 500,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------|----------------|--|----------------|
| (1) ASETF | <u>500,000</u> | | |
| Total School of Nursing | <u>500,000</u> | | <u>500,000</u> |

3. Educational Television:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 352,068 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|------------------------------------|----------------|--|----------------|
| (1) ASETF | <u>352,068</u> | | |
| Total Educational Television | <u>352,068</u> | | <u>352,068</u> |

4. Center for Vocational Teacher
Educational Training:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 500,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|----------------|--|----------------|
| (1) ASETF | <u>500,000</u> | | |
| Total Center for Vocational Teacher Educational Training | <u>500,000</u> | | <u>500,000</u> |

5. Clinical Psychology:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 103,950 |
| (b) Equipment - Other than Auto- motive | | | 6,050 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|----------------|--|----------------|
| (1) ASETF | <u>110,000</u> | | |
| Total Clinical Psychology | <u>110,000</u> | | <u>100,000</u> |

6. Agricultural Experiment Station
(Including Wildlife):

| | | | |
|--------------------|--|--|------------|
| (a) Research | | | 14,609,845 |
|--------------------|--|--|------------|

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| | |
|--|---------|
| (b) Institutional Support | 618,350 |
| (c) Operation and Maintenance of Physical Plant | 286,953 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|------------|
| (1) ASETF | 7,224,277 | | |
| (2) Federal Funds | | 5,546,341 | |
| (3) Other Sources | | 2,550,000 | |
| (4) State Funds | | 194,530 | |
| Total Agriculture Experiment Station | 7,224,277 | 8,290,871 | 15,515,148 |

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Station:

| | |
|--------------------|---------|
| (a) Research | 812,232 |
|--------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 812,232 | | |
| Total Engineering Experimental Station | 812,232 | | 812,232 |

8. Cooperative Extension Service:

| | |
|--------------------------|------------|
| (a) Public Service | 17,293,319 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | | | |
|-------------------------|-----------|-----------|--|
| (1) ASETF | 7,893,538 | | |
| (2) Federal Funds | | 7,872,700 | |

| | | | |
|---|-----------|-----------|------------|
| (3) Local Funds | | 1,527,081 | |
| Total Cooperative Extension Service | 7,893,538 | 9,399,781 | 17,293,319 |

production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service-Retirement:

(a) Public Service 1,022,840

SOURCE OF FUNDS:

(1) ASETF 1,022,840

(2) Other Sources

| | | |
|--|-----------|-----------|
| Total Cooperative Extension Service-Retirement | 1,022,840 | 1,022,840 |
|--|-----------|-----------|

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

(a) Public Service 346,841

SOURCE OF FUNDS:

(1) ASETF 346,841

| | | |
|--|---------|---------|
| Total Public Service, Research and Extension | 346,841 | 346,841 |
|--|---------|---------|

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| | |
|---------------------------|---------|
| 11. Energy Research | 250,000 |
|---------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|------------|-------------|
| (1) ASETF | 250,000 | |
| Total Energy Research | 250,000 | 250,000 |
| TOTAL AUBURN UNIVERSITY ... | 53,974,236 | 61,501,188 |
| | | 115,475,424 |

B. Auburn University at Montgomery:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 4,516,113 |
| (b) Research | 87,405 |
| (c) Public Service | 1,801,705 |
| (d) Libraries | 314,216 |
| (e) Academic Support (excl. Libr.) | 245,453 |
| (f) Student Services | 345,521 |
| (g) Institutional Support | 515,122 |
| (h) Operation and Maintenance of Physical Plant | 1,146,296 |
| (i) Scholarships and Fellowships .. | 293,295 |
| (j) Debt Service | 60,314 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-----------|
| (1) ASETF | 5,281,493 | |
| (2) Federal Funds | 1,621,100 | |
| (3) State Funds | 45,000 | |
| (4) Other Sources | 2,377,847 | |
| Total Operation and Maintenance .. | 5,281,493 | 9,325,440 |
| | | |

2. Montgomery Area Community Health Science Institute:

| | |
|--------------------------|---------|
| (a) Public Service | 127,769 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 127,769 | |
| Total Montgomery Area Community Health Science Institute | 127,769 | 127,769 |

3. Public Service Research and Extensions (Center for Government & Public Affairs):

(a) Public Services 158,400

SOURCE OF FUNDS:

(1) ASETF 150,000

(2) Other Sources 8,400

Total Public Service Research and Extensions (Center for Government and Public Affairs)

150,000 8,400 158,000

4. School of Nursing:

(a) Instruction 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total School of Nursing 250,000 250,000

TOTAL AUBURN AT MONTGOMERY

5,809,262 4,052,347 9,861,609

V. Board of Trustees of Jacksonville State University:

A. Jacksonville State University

1. Operations and Maintenance

(a) Instruction 7,772,548

(b) Public Service 64,172

(c) Libraries 1,061,468

(d) Academic Support (excl. Libr.) 499,736

(e) Student Services 853,172

(f) Institutional Support 370,304

(g) Operation and Maintenance of Physical Plant 2,310,978

(h) Scholarships and Fellowships .. 315,000

(i) Debt Service 515,000

SOURCE OF FUNDS:

(1) ASETF 10,272,378

(2) State Funds 160,000

(3) Other Sources 3,230,000

Total Operations and Maintenance 10,372,378 3,390,000 13,762,378

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2. Gadsden Program:

| | |
|--|---------|
| (a) Instruction | 465,622 |
| (b) Public Service | 8,000 |
| (c) Libraries | 38,000 |
| (d) Academic Support (excl. Libr.) | 18,000 |
| (e) Student Services | 15,000 |
| (f) Operation and Maintenance of Physical Plant | 50,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 484,622 | | |
| (2) Other Sources | | 110,000 | |
| Total Cooperative University Upper Division (formerly Gadsden Prog.) | 484,622 | 110,000 | 594,622 |

3. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |

(To be expended in accordance
with Act No. 2288, 1971 Regular
Session.)

| | |
|--|---------|
| 4. United Cerebral Palsy Develop- ment Center for East Central Alabama | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 100,000 | |
| Total United Cerebral Palsy Develop- ment Center for East Central Alabama | 100,000 | 100,000 |

| | |
|------------------------------------|---------|
| 5. For Vocational Teacher Training | 100,000 |
|------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 100,000 | |
| Total Vocational Teacher Training | 100,000 | 100,000 |

| | | | |
|--|------------|-----------|------------|
| TOTAL JACKSONVILLE STATE UNIVERSITY | 11,075,000 | 3,500,000 | 14,575,000 |
|--|------------|-----------|------------|

A. Livingston University:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,634,247 |
| (b) Libraries | 173,902 |
| (c) Academic Support (excl. Libr.) | 196,472 |
| (d) Student Services | 224,790 |
| (e) Institutional Support | 630,208 |
| (f) Operation and Maintenance of Physical Plant | 891,821 |
| (g) Scholarships and Fellowships .. | 25,646 |
| (h) Auxiliary Enterprises | 1,078,000 |
| (i) For Federal Programs | 189,800 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 3,211,782 | | |
| (2) Federal Funds | | 189,800 | |
| (3) Local Funds | | 1,643,304 | |
| Total Operation and Maintenance .. | 3,211,782 | 1,833,104 | 5,044,886 |

2. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |
| TOTAL LIVINGSTON UNIVER- SITY | 3,229,782 | 1,833,104 | 5,062,886 |

VII. Board of Trustees of Univer-
sity of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

| | |
|---------------------------------|-----------|
| (a) Instruction | 2,999,975 |
| (b) Research | 50,000 |
| (c) Public Service | 89,456 |
| (d) Libraries | 249,691 |
| (e) Academic Support | 372,312 |
| (f) Student Services | 392,952 |
| (g) Institutional Support | 807,390 |

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| | |
|--|-----------|
| (h) Operation and Maintenance of Physical Plant | 1,546,618 |
| (i) Scholarships and Fellowships .. | 77,070 |
| (j) Hospitals | 306,080 |
| (k) Auxiliary Enterprises | 1,966,651 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|------------------|------------------|------------------|
| (1) ASETF | 4,975,198 | | |
| (2) State Funds | | 85,000 | |
| (3) Federal Funds | | 323,959 | |
| (4) Other Sources | | 3,474,038 | |
| Total Operations and Maintenance | <u>4,975,198</u> | <u>3,882,997</u> | <u>8,858,195</u> |

2. School for Aphasic Children:

| | |
|-----------------------|---------|
| (a) Instruction | 276,072 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|----------------|---------------|----------------|
| (1) ASETF | 199,464 | | |
| (2) Federal Funds | | 3,000 | |
| (3) Other Sources | | 73,608 | |
| Total School for Aphasic Children | <u>199,464</u> | <u>76,608</u> | <u>276,072</u> |

3. Highway Safety Program:

| | |
|-----------------------|---------|
| (a) Instruction | 127,788 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|------------------------------|----------------|--------------|----------------|
| (1) ASETF | 125,714 | | |
| (2) Other Sources | | 2,074 | |
| Total Highway Safety Program | <u>125,714</u> | <u>2,074</u> | <u>127,788</u> |

4. Communications Center:

| | |
|--------------------------|--------|
| (a) Public Service | 18,178 |
|--------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------|---------------|--|---------------|
| (1) ASETF | 18,178 | | |
| Total Communications Center | <u>18,178</u> | | <u>18,178</u> |

5. For Vocational Teacher Training 50,000

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 50,000 | | |
| Total Vocational Teacher Training | 50,000 | | 50,000 |
| TOTAL UNIVERSITY OF MONTE- VALLO | 5,368,554 | 3,961,679 | 9,330,233 |

VIII. Board of Trustees of Univer-
sity of North Alabama:

A. University of North Alabama:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,219,942 |
| (b) Research | 106,350 |
| (c) Public Service | 51,130 |
| (d) Libraries | 487,000 |
| (e) Academic Support (excl. Libr.) | 629,000 |
| (f) Student Services | 835,660 |
| (g) Institutional Support | 1,147,000 |
| (h) Operation and Maintenance of Physical Plant | 1,636,200 |
| (i) Scholarships and Fellowships .. | 60,439 |
| (j) Debt Service | 170,700 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|------------|
| (1) ASETF | 7,000,000 | | |
| (2) Federal Funds | | 284,680 | |
| (3) Local Funds | | 85,000 | |
| (4) Other Sources | | 2,973,741 | |
| Total Operation and Maintenance .. | 7,000,000 | 3,343,421 | 10,343,421 |

2. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 2,544,321 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | |
|-----------------------------------|-----------|
| (1) Other Sources | 2,544,321 |
| Total Auxiliary Enterprises | 2,544,321 |

3. Nursing School Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

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SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------------|---------------|
| (1) ASETF | 18,000 | |
| Total Nursing School Scholarships | <u>18,000</u> | <u>18,000</u> |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

| | | | |
|--|------------------|------------------|-------------------|
| TOTAL UNIVERSITY OF NORTH ALABAMA | <u>7,018,000</u> | <u>5,887,742</u> | <u>12,905,742</u> |
|--|------------------|------------------|-------------------|

IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 8,120,663 |
| (b) Research | 175,488 |
| (c) Public Service | 49,267 |
| (d) Libraries | 416,050 |
| (e) Academic Support (excl. Lib.) | 458,281 |
| (f) Student Services | 1,272,356 |
| (g) Institutional Support | 1,216,059 |
| (h) Operations and Maintenance of Physical Plant | 2,137,653 |
| (i) Scholarships and Fellowships .. | 275,181 |
| (j) Debt Service | 1,499,333 |
| (k) Capital Outlay | 113,283 |
| (l) Equipment - Other than Auto- motive | 508,199 |
| (m) Automotive Equipment | 19,110 |
| (n) Transfers | 190,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|------------------|------------------|-------------------|
| (1) ASETF | 9,852,713 | | |
| (2) State Funds | | 123,353 | |
| (3) Federal Funds | | 481,400 | |
| (4) Other Sources | | <u>5,993,457</u> | |
| Total Operations and Maintenance | <u>9,852,713</u> | <u>6,598,210</u> | <u>16,450,923</u> |

2. Statewide Medical Education:

(a) Instruction 187,824

SOURCE OF FUNDS:

(1) ASETF 187,824

Total Statewide Medical Education 187,824

3. Ambulatory Care:

(a) Academic Support (excl. Libr.) 99,304

SOURCE OF FUNDS:

(1) ASETF 99,304

Total Ambulatory Care 99,304

4. Family Practice Residency Program:

(a) Instruction 423,316

(b) Operations and Maintenance of
Physical Plant 4,880(c) Equipment - Other than Auto-
motive 54,804

(d) Transfers 94,000

SOURCE OF FUNDS:

(1) ASETF 577,000

Total Family Practice Residency
Programs 577,000

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

(a) Instruction 6,470,483

(b) Research 1,123,449

(c) Public Service 24,707

(d) Libraries 408,000

(e) Academic Support 386,817

(f) Student Services 125,262

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| | |
|---|-----------|
| (g) Institutional Support | 869,353 |
| (h) Operations and Maintenance of Physical Plant | 1,228,181 |
| (i) Scholarships and Fellowships .. | 35,811 |
| (j) Capital Outlay | 192,695 |
| (k) Equipment - Other than Auto- motive | 192,695 |
| (l) Transfers | 1,791,434 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 8,459,329 | | |
| (2) Federal Funds | | 1,262,506 | |
| (3) Other Sources | | 3,127,052 | |
| Total College of Medicine | 8,459,329 | 4,389,558 | 12,848,887 |

6. University Medical Center:

(Includes University Hospital and
Clinic)

| | |
|--------------------------|------------|
| (a) Medical Center | 25,971,366 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|------------|------------|
| (1) ASETF | 1,677,427 | | |
| (2) Other Sources | | 24,293,939 | |
| Total University Medical Center | 1,677,427 | 24,293,939 | 25,971,366 |

7. Newborn Growth and Develop-
ment Program (formerly Infant
and Maternal Care):

| | |
|-----------------------|--------|
| (a) Instruction | 79,097 |
|-----------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|--------|--|--------|
| (1) ASETF | 79,097 | | |
| Total Infant and Maternal Care | 79,097 | | 79,097 |

8. End Stage Renal Disease:

| | |
|-----------------------|--------|
| (a) Instruction | 25,000 |
|-----------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|--------|--|--------|
| (1) ASETF | 25,000 | | |
| Total End Stage Rental Disease | 25,000 | | 25,000 |

9. Division of Allied Health:

| | |
|--|---------|
| (a) Instruction | 456,770 |
| (b) Institutional Support | 74,384 |
| (c) Equipment - Other than Auto- motive | 57,000 |
| (d) Transfers | 96,145 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|---------|--------|---------|
| (1) ASETF | 586,432 | | |
| (2) Other Sources | | 97,867 | |
| Total Division of Allied Health | 586,432 | 97,867 | 684,299 |

10. School of Nursing:

| | |
|--|---------|
| (a) Instruction | 500,706 |
| (b) Institutional Support | 15,000 |
| (c) Equipment - Other than Auto- motive | 30,000 |
| (d) Transfers | 99,942 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 468,864 | | |
| (2) Federal Funds | | 25,500 | |
| (3) Other Sources | | 151,284 | |
| Total School of Nursing | 468,864 | 176,784 | 645,648 |

11. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 22,539 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|-------|--------|
| (1) ASETF | 18,000 | | |
| (2) Other Sources | | 4,539 | |
| Total Nursing Scholarships | 18,000 | 4,539 | 22,539 |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

12. Research and Public Service
Extension:

| | |
|--|--------|
| (a) Research | 40,000 |
| (b) Public Service | 51,398 |
| (c) Equipment - Other than Auto- motive | 10,000 |

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SOURCE OF FUNDS:

| | | | |
|--|--------|--------|---------|
| (1) ASETF | 91,398 | | |
| (2) Other Sources | | 10,000 | |
| Total Research and Public Service Extension | 91,398 | 10,000 | 101,398 |

13. Reproductive Health Sciences
Center:

| | | | |
|--|--|--|--------|
| (a) Instruction | | | 25,000 |
| (b) Equipment - Other than Auto- motive | | | 25,000 |

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Reproductive Health Sciences Center | 50,000 | | 50,000 |

14. Paramedic Training Program:

| | | | |
|---|--|--|---------|
| (a) For Operations and Mainte- nance | | | 125,000 |
|---|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Paramedic Training Program | 125,000 | | 125,000 |

15. Auxiliary Enterprises:

| | | | |
|---------------------------------|--|--|-----------|
| (a) Auxiliary Enterprises | | | 4,549,481 |
|---------------------------------|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) Other Sources | | 4,549,481 | |
| Total Auxiliary Enterprises | | 4,549,481 | 4,549,481 |
| TOTAL UNIVERSITY OF SOUTH ALABAMA | 22,297,388 | 40,120,378 | 62,417,766 |

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever,

any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 4,176,400 |
| (b) Research | 32,800 |
| (c) Libraries | 377,900 |
| (d) Academic Support (excl. Libr.) | 259,800 |
| (e) Student Services | 831,200 |
| (f) Institutional Support | 1,090,300 |
| (g) Operation and Maintenance of Physical Plant | 1,300,000 |
| (h) Scholarships and Fellowships .. | 360,000 |
| (i) Public Service | 221,800 |
| (j) Auxiliary Enterprises | 3,265,318 |
| (k) Capital Outlay | 365,000 |
| (l) Debt Services | 245,000 |
| (m) Transfer to Plant Fund | 100,000 |
| (n) For Vocational Teacher Training | 100,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,508,599 | | |
| (2) Federal Funds | | 500,000 | |
| (3) Other Sources | | 5,716,919 | |
| Total Operations and Maintenance | 6,508,599 | 6,216,919 | 12,725,518 |

2. Operation and Maintenance at Ft. Rucker/Dothan:

| | |
|---|-----------|
| (a) Instruction | 1,137,700 |
| (b) Libraries | 114,900 |
| (c) Academic Support (excl. Libr.) | 154,700 |
| (d) Student Services | 131,200 |
| (e) Institutional Support | 172,500 |
| (f) Operation and Maintenance of Physical Plant | 116,626 |

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| | |
|-------------------------------------|---------|
| (g) Scholarships and Fellowships .. | 20,000 |
| (h) Auxiliary Enterprises | 145,000 |
| (i) Capital Outlay | 115,000 |
| (j) Debt Service | 80,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|-----------|-----------|
| (1) ASETF | 870,000 | | |
| (2) Other Sources | | 1,317,626 | |
| Total Operations and Maintenance at Ft. Rucker/Dothan | 870,000 | 1,317,626 | 2,187,626 |

3. Operations and Maintenance in
Montgomery:

| | |
|-------------------------------------|-----------|
| (a) Instruction | 1,271,300 |
| (b) Public Service | 66,500 |
| (c) Libraries | 15,000 |
| (d) Academic Support (excl. Libr.) | 145,000 |
| (e) Student Services | 235,000 |
| (f) Institutional Support | 495,000 |
| (g) Scholarships and Fellowships .. | 5,000 |
| (h) Auxiliary Enterprises | 220,000 |
| (i) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 222,800 | | |
| (2) Other Sources | | 2,280,000 | |
| Total Operations and Maintenance in Montgomery | 222,800 | 2,280,000 | 2,502,800 |

4. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 36,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 36,000 | | |
| Total Nursing Scholarships | 36,000 | | 36,000 |

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

(a) Instruction 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

Total Operation and Maintenance
at Bay Minette's Branch 50,000 50,0006. Operation and Maintenance of
BSN Program in Montgomery ... 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total Nursing School - Montgomery 250,000 250,000

TOTAL TROY STATE UNIVER-
SITY 7,937,399 9,814,545 17,751,944XI. Board of Trustees for Alabama
Institute for Deaf and Blind:A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instructions 1,710,440

(b) Libraries 72,368

(c) Student Services 379,151

(d) Institutional Support 149,190

(e) Operation and Maintenance of
Physical Plant 1,337,543

(f) Scholarships and Fellowships .. 1,800

(g) Infirmary Speech and Hearing 133,233

(h) Auxiliary Enterprises 2,179,651

SOURCE OF FUNDS:

(1) ASETF 3,696,500

(2) Federal Funds 2,266,876

Total Alabama Institute for Deaf
and Blind 3,696,500 2,266,876 5,963,376B. Department of Adult Blind and
Deaf:

1. Operation and Maintenance:

(a) Instruction 1,105,085

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| | |
|--|-----------|
| (b) Libraries | 77,133 |
| (c) Academic Support (excl. Libr.) | 32,441 |
| (d) Student Services | 805,927 |
| (e) Institutional Support | 259,251 |
| (f) Operation and Maintenance of Physical Plant | 312,833 |
| (g) Auxiliary Enterprises | 5,896,247 |
| (h) Equipment - Other than Auto- motive | 63,466 |
| (i) Automotive Equipment | 12,501 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|------------|
| (1) ASETF | 1,518,500 | | |
| (2) Federal Funds | | 2,017,349 | |
| (3) Other Sources | | 5,029,935 | |
| | | | |
| Total Alabama Institute for Deaf and Blind | 1,518,500 | 7,046,384 | 8,564,884 |
| | | | |
| GRAND TOTAL ALABAMA IN- STITUTE FOR D E A F AND BLIND | 5,215,000 | 9,313,260 | 14,528,260 |
| | | | |

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance. Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding Rank "AA" or equivalent certificates not less than one thousand two hundred ten dollars (\$1,210) per annum; Rank I or its equivalent teachers not less than one thousand ninety five dollars (\$1,095) per annum; Rank II or its equivalent teachers not less than nine hundred eighty dollars (\$980) per annum; Rank III or its equivalent teachers not less than eight hundred sixty five dollars (\$865) per annum; Rank IV or its equivalent teachers not less than seven hundred fifty (\$750) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase." In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of

not less than five hundred dollars (\$500) per annum for nine months employment. Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hour per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worked per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,256,227 |
| (b) Instructional Support | 105,072 |
| (c) Administrative Support | 442,221 |
| (d) Student Services | 144,347 |
| (e) Operation and Maintenance of Physical Plant | 362,141 |
| (f) Auxiliary Enterprises | 323,122 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF | 1,500,000 | | |
| (2) Federal Funds | | 122,250 | |
| (3) Other Sources | | 1,010,880 | |
| TOTAL ATHENS STATE COL- LEGE | 1,500,000 | 1,133,130 | 2,633,130 |

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance 125,000

2. Gadsden State Junior College:

For Operations and Maintenance 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community College - Technical Branch - Dothan:

For a nursing school 200,000 |

2. George Corley Wallace State Community College (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 116,300 |

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3. George Corley Wallace State
Community College - Technical
Branch (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 324,000

4. Alabama Academy of Honor ----- 3,500

Section 8.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 9. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 10. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation

Section 11. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held

unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 12. This Act shall become effective on October 1, 1978.

SUBSTITUTE TABLED

On motion of Mr. Merrill, the substitute offered by Mr. Pegues to the bill, H. 37 as amended, was tabled.

Yeas 59; Nays 29.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Buskey, Carter, Coburn, Cooper, Crawford, Dial, Drake, Edwards, Falkenburg, Goodwin, Greer, Gregg, Hall, Hill, Holley, Holmes (A), Holmes (D), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Merrill, Mitchem, Moore (O), Morris, Naramore, Plaster, Quarles, Ray, Riddick, Robertson, Smith (B), Smith (C), Sparks, Starkey, Thomas, Towns, Trammell, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—59

Nays:

Mr. Speaker, Baker, Biddle, Campbell, Carothers, Cates, Cross, Crowe, Gafford, Glass, Hilliard, Hopping, Jackson (F), Jackson (R), Kinsey, Leonard, McMillan, Manley, Martin, Moore (W), Pegues, Roberts, Sasser, Smith (J), Smith (M), Sonnier, Waggoner, White and Younce.

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AMENDMENT OFFERED

Mr. Smith (C) offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 as follows:

On page 71, Section 5, on line 14, by striking out the number 2,999,975 and inserting in lieu thereof the number 3,399,975; amend further on line 27 by striking the number 4,975,198 and insert in lieu thereof the number 5,375,198; further amend page 71 on line 31 by striking the number 4,975,198 and inserting in lieu thereof the number 5,375,198 and, further amend line 31 by striking the number 8,858,195 and inserting in lieu thereof the number 9,258,195.

Further amend H. B. 37 on page 72 line 27 by striking the number 5,368,554 and inserting in lieu thereof the number 5,768,554; also amend line 27 by striking the number 9,330,233 and inserting in lieu thereof the number 9,730,233.

MOTION TO TABLE LOST

The motion offered by Mr. Merrill to table the amendment offered by Mr. Smith (C) to the bill, H. 37 as amended, was lost.

Yeas 31; Nays 42.

Yeas:

Messrs.: Albright, Andrews, Baker, Buskey, Coburn, Cooper, Crawford, Gafford, Glass, Goodwin, Hines, Holmes (A), Jackson (F), Johnson,

Jolly, Kennedy, Kinsey, Langford, McMillan, Merrill, Pegues, Plaster, Ray, Sasser, Smith (B), Smith (M), Ward, Weeks, Whatley, Williams and Wyatt.

—31

Nays:

Mr. Speaker, Armstrong, Biddle, Campbell, Carothers, Cates, Crowe, Falkenburg, Greer, Hall, Harrison, Hilliard, Holley, Holmes (D), Hopping, Jackson (R), Johnstone, Kelley, Killian, Leonard, Lockett, Lutz, McCluskey, McNair, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Riddick, Roberts, Shoemaker, Smith (C), Smith (J), Sonnier, Thomas, Turnham, Waggoner, White and Younce.

—42

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Smith (C) to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 68; Nays 18.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Campbell, Carothers, Cates, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Gafford, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Leonard, Lockett, McMillan, McNair, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Owens, Quarles, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Waggoner, Ward, Warren, Whatley, White, Williams, Wyatt and Younce.

—68

Nays:

Messrs.: Albright, Andrews, Buskey, Coburn, Cooper, Crowe, Glass, Goodwin, Kennedy, Kinsey, Langford, Lutz, McCluskey, Merrill, Naramore, Plaster, Smith (B) and Weeks.

—18

AMENDMENT OFFERED

Mr. Morris offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 line 11 by adding the following:

"In the event a teacher or employee of the Board of Education retires, the teacher or employee shall be able to continue to obtain insurance coverage under the school board group plan so long as the teacher or employee makes full premium payments on said coverage.

MOTION TO TABLE LOST

The motion offered by Mr. Manley to table the amendment offered by Mr. Morris to the bill, H. 37 as amended, was lost.

Yeas 37; Nays 41.

Yeas:

Mr. Speaker, Biddle, Buskey, Carothers, Cooper, Crawford, Crowe, Falkenburg, Gafford, Hines, Holmes (D), Hopping, Johnson, Kennedy, Kinsey, Leonard, Lutz, McMillan, Manley, Martin, Merrill, Pegues,

3rd Day

Plaster, Reed, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Sonnier, Towns, Trammell, Ward, Whatley, Williams and Younce.

—37

Nays:

Messrs.: Albright, Andrews, Armstrong, Baker, Campbell, Cates, Coburn, Cross, Dial, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Jolly, Kelley, Langford, Lockett, McCluskey, McNees, Mitchem, Moore (W), Naramore, Quarles, Riddick, Shoemaker, Smith (J), Sparks, Thomas, Turnham, Venable, Warren, Weeks and Wyatt.

—41

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Morris to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 66; Nays 11.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Kelley, Killian, Kinsey, Langford, Lee, Lockett, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Shelton, Shoemaker, Smith (C), Smith (J), Sonnier, Sparks, Starkey, Thomas, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, Williams and Wyatt.

—66

Nays:

Messrs.: Falkenburg, Gafford, Gregg, Harrison, Jackson (R), Leonard, Lutz, Smith (B), Smith (M), Towns and Younce.

—11

AMENDMENT OFFERED

Mr. Holley offered the following amendment No. 1 to the bill, H. 37 as amended;

Amend Ways and Means Substitute to H. B. 37 on page 17, Section 3, lines 18 and 19 by deleting "on formula adopted by the State Board of Education" and adding in lieu thereof "according to the following formula."

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Holley to the bill, H. 37 as amended, was tabled.

Yeas 51; Nays 15.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Gafford, Glass, Gregg, Holmes (D), Johnson, Killian, Lee, Lutz, McCluskey, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster,

3rd Day

Ray, Riddick, Roberts, Sasser, Shelton, Smith (B), Smith (C), Smith (M), Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, Williams and Younce.

—51

Nays:

Messrs.: Albright, Barron, Goodwin, Greer, Hall, Holley, Holmes (A), Hopping, Jackson (R), Langford, Leonard, Lockett, Sonnier, Thomas and Wyatt.

—15

AMENDMENT OFFERED

Mr. Holley offered the following amendment No. 2 to the bill, H. 37 as amended:

Amend House Bill 37, Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools":

"Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes."

MOTION TO TABLE LOST

The motion offered by Mr. Merrill to table the amendment No. 2 offered by Mr. Holley, was lost.

Yeas 32; Nays 52.

Yeas:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Cooper, Crawford, Falkenburg, Gafford, Hopping, Jackson (F), Kelley, Lee, Lutz, McCluskey, McNair, Manley, Mitchem, Moore (W), Pegues, Roberts, Sasser, Shoemaker, Smith (M), Turnham, Waggoner, Ward, White, Williams and Younce.

—32

Nays:

Messrs.: Albright, Armstrong, Buskey, Cates, Clark, Coburn, Cross, Crowe, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Holley, Holmes (A), Holmes (D), Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Kinsey, Langford, Leonard, Lockett, McMillan, McNees, Martin, Moore (O), Morris, Naramore, Owens, Quarles, Ray, Reed, Riddick, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Warren and Whatley.

—52

REQUEST OF SPEAKER

Mr. McCorquodale, Speaker of the House of Representatives requested that the Journal reflect that the Constitution provides that no language shall be entered in a budget except the appropriations.

3rd Day

AMENDMENT ADOPTED

The question was then on the amendment No. 2 offered by Mr. Holley to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 60; Nays 27.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, McMillan, McNees, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Quarles, Ray, Reed, Riddick, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Ward, Warren and Whatley.

—60

Nays:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Crawford, Dial, Falkenburg, Gafford, Jackson (F), Kelley, Lee, McNair, Manley, Mitchem, Moore (W), Pegues, Roberts, Sasser, Smith (M), Towns, Turnham, Waggoner, Williams and Younce.

—27

AMENDMENT OFFERED

Mr. Callahan offered the following amendment to the bill, H. 37 as amended:

Immediately following Section 7 on page 86, include the following new Section 8 and renumber the remaining Sections accordingly:

Section 8. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

MOTION TO TABLE LOST

The motion offered by Mr. Merrill to table the amendment offered by Mr. Callahan to the bill, H. 37 as amended, was lost.

Yeas 38; Nays 53.

Yeas:

Messrs.: Albright, Andrews, Baker, Barron, Buskey, Coburn, Cross, Goodwin, Gregg, Hall, Harris, Hines, Holley, Holmes (A), Holmes (D), Hopping, Johnson, Jolly, Kennedy, Langford, Lutz, McMillan, McNees, Martin, Merrill, Morris, Plaster, Riddick, Smith (B), Smith (C), Smith (M), Thomas, Trammell, Ward, Weeks, Whatley, Williams and Wyatt.

—38

Nays:

Mr. Speaker, Armstrong, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Glass, Hilliard, Howard, Jackson (F), Jackson (R), Johnstone, Kelley, Kinsey, Lee, Leonard, Lockett, McCluskey, McNair, Manley, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (J), Sonnier, Sparks, Towns, Turnham, Venable, Waggoner, Warren, White and Younce.

—53

3rd Day

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Callahan to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 52; Nays 27

Yeas:

Mr. Speaker, Andrews, Armstrong, Biddle, Callahan, Campbell, Carter, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Gafford, Glass, Harris, Hilliard, Hines, Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Kelley, Kennedy, Kinsey, Lockett, McCluskey, Manley, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (J), Sonnier, Sparks, Towns, Trammell, Turnham, Venable, Waggoner, White and Younce.

—52

Nays:

Messrs.: Albright, Barron, Buskey, Coburn, Dial, Goodwin, Greer, Hall, Hill, Holley, Holmes (A), Holmes (D), Jolly, Langford, Lutz, McCulley, McMillan, Merrill, Morris, Plaster, Riddick, Shoemaker, Smith (C), Ward, Weeks, Williams and Wyatt.

—27

AMENDMENT OFFERED

Mr. Carter offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 after (f) Auxiliary Enterprises on page 85, line 26, by adding the following:

(g) Training vocational teachers _ 125,000

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Carter to the bill, H. 37 as amended, was tabled.

Yeas 46; Nays 15.

Yeas:

Mr. Speaker, Andrews, Armstrong, Barron, Biddle, Campbell, Cates, Cooper, Crawford, Crowe, Glass, Harrison, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Jolly, Kelley, Langford, Leonard, Lockett, McCluskey, McMillan, Manley, Merrill, Mitchem, Pegues, Plaster, Quarles, Ray, Shelton, Smith (B), Smith (J), Sonnier, Venable, Waggoner, Ward, Weeks, Whatley, White, Williams, Wyatt and Younce.

—46

Nays:

Messrs.: Albright, Carter, Coburn, Cross, Greer, Hill, Johnstone, Kinsey, Martin, Moore (O), Moore (W), Morris, Reed, Riddick and Roberts.

—15

AMENDMENT OFFERED

Mr. Hill offered the following amendment No. 1 to the bill, H. 37 as amended:

To amend House Bill 37, Section 4, subsection 2, page 39, lines 5 through 9 and subsection 10, page 41, lines 5 through 9 by deleting both subsections and inserting the following under Section 3 page 3 line 7:

1. COUNCIL ON THE ARTS AND HUMANITIES

(A) Fine Arts Program

SOURCE OF FUNDS:

| | | | |
|-----------------------------|---------|---------|--|
| (1) ASETF | 300,000 | | |
| (2) Federal and local | | 614,098 | |
| (B) Birmingham Symphony | | | |

SOURCE OF FUNDS:

| | |
|----------------------------------|--------|
| (1) ASETF | 95,000 |
| (C) Alabama Shakespeare Festival | |

SOURCE OF FUNDS:

| | |
|-----------------|-------|
| (1) ASETF | 2,500 |
|-----------------|-------|

| | | | |
|--|---------|---------|-----------|
| Total Council on the Arts and Humanities | 397,500 | 614,098 | 1,011,598 |
|--|---------|---------|-----------|

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Hill to the bill, H. 37 as amended, was tabled.

Yeas 64; Nays 13.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Goodwin, Hines, Holmes (D), Hopping, Jackson (F), Johnson, Jolly, Kelley, Killian, Lutz, McCluskey, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Weeks, Whatley, White, Williams, Wyatt and Younce.

—64

Nays:

Messrs.: Dial, Greer, Hall, Harrison, Hill, Jackson (R), Johnstone, Leonard, McNair, Manley, Roberts, Shelton and Smith (J).

—13

AMENDMENT OFFERED

Mr. White offered the following amendment to the bill, H. 37 as amended:

Amend Ways and Means Substitute to H. B. 37 on Page 14, Section 3, line 12 by deleting 500,000 and adding in lieu thereof "800,000."

Further Amend Ways and Means Substitute to H. B. 37 on Page 14, Section 3, line 15 by deleting 591.855 and adding in lieu thereof "891,855"

3rd Day

MOTION TO TABLE LOST

The motion offered by Mr. Merrill to table the amendment offered by Mr. White to the bill, H. 37 as amended, was lost.

Yeas 36; Nays 40.

Yeas:

Messrs.: Albright, Buskey, Carter, Crawford, Cross, Gregg, Holley, Holmes (D), Johnson, Jolly, Kennedy, Killian, Langford, Lutz, McCluskey, McNees, Martin, Merrill, Morris, Naramore, Owens, Plaster, Riddick, Sasser, Shoemaker, Smith (M), Sonnier, Starkey, Trammell, Turnham, Ward, Weeks, Whatley, Williams, Wyatt and Younce.

—36

Nays:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Campbell, Carothers, Crowe, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (F), Jackson (R), Leonard, Lockett, McMillan, McNair, Manley, Mitchem, Moore (O), Moore (W), Pegues, Quarles, Roberts, Shelton, Smith (C), Smith (J), Sparks, Thomas, Waggoner, Warren and White.

—40

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. White to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 55; Nays 24.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Killian, Leonard, Lockett, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Riddick, Roberts, Sandusky, Shelton, Smith (J), Sonnier, Sparks, Thomas, Trammell, Venable, Waggoner, Warren, White, Williams and Younce.

—55

Nays:

Messrs.: Albright, Buskey, Carter, Coburn, Crawford, Goodwin, Gregg, Holley, Holmes (D), Jolly, Kennedy, Langford, Lutz, McCluskey, McCulley, Morris, Plaster, Sasser, Smith (M), Starkey, Turnham, Weeks, Whatley and Wyatt.

—24

AMENDMENT OFFERED

Mr. Johnson offered the following amendment No. 1 to the bill, H. 37 as amended:

Amend House Bill 37, Page 82, Line 11 by adding a new section XI and renumber all subsequent sections to read as follows:

“Of the amounts appropriated herein above to all colleges and universities for the fiscal year ending September 30, 1979, a minimum cost-of-living salary increase of seven and one-half percent (7½%) of the 1977-78 salary shall be granted across the board to all full-time instructional personnel. These salary increases shall be granted in addition to

salary now received and all merit, promotional, and other salary increments due said personnel. Persons employed for ten (10), eleven (11), or twelve (12) months shall receive an additional pro rata salary increases. Provided, however, the provisions herein above shall not apply to any medical school except for the teaching personnel in the basic sciences."

AMENDMENT TABLED

On motion of Mr. Turnham, the amendment offered by Mr. Johnson to the bill, H. 37 as amended, was tabled.

Yeas 47; Nays 38.

Yeas:

Mr. Speaker, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Crowe, Falkenburg, Gafford, Gregg, Harris, Harrison, Jackson (F), Kelley, Kinsey, Lee, Leonard, Lutz, Manley, Martin, Moore (W), Naramore, Pegues, Plaster, Quarles, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Turnham, Venable, Waggoner, Ward, Weeks, Whatley, White and Younce.

47

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Cooper, Cross, Drake, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Langford, Lockett, McCluskey, McMillan, McNees, Merrill, Mitchem, Moore (O), Morris, Owens, Reed, Riddick, Shelton, Starkey, Thomas and Trammell.

—38

AMENDMENT OFFERED

Mr. Hill offered the following amendment No. 2 to the bill, H. 37 as amended:

To amend House Bill 37, Section 4, Subsection 2, page 39, lines 5 through 9 by deleting the subsection and inserting the following under Section 3 page 3 line 7:

1. Council on the Arts and Humanities

(A) Fine Arts Program

SOURCE OF FUNDS:

| | | |
|-----------------------------|---------|---------|
| (1) ASETF | 300,000 | |
| (2) Federal and Local | | 614,098 |
| (B) Birmingham Symphony | | |

SOURCE OF FUNDS;

| | | | |
|--|---------|---------|-----------|
| (1) ASETF | 95,000 | | |
| Total Council on the Arts and Humanities | 395,000 | 614,098 | 1,009,098 |

3rd Day

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment No. 2 offered by Mr. Hill to the bill, H. 37 as amended, was tabled.

Yeas 61; Nays 16.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Campbell, Carothers, Carter, Cates, Cooper, Crawford, Cross, Drake, Falkenburg, Gafford, Gregg, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Kelley, Kinsey, Langford, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Towns, Trammell, Turnham, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—61

Nays:

Messrs.: Albright, Armstrong, Crowe, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Jackson (R), Kennedy, Killian, Leonard, Mitchem, Shelton and Venable.

AMENDMENT OFFERED

Mr. Lee offered the following amendment to the bill, H. 37 as amended:

Amend H. B. 37 on p. 21, line 15 by adding the following language:

To City of Tuscaloosa Board of Education in Tuscaloosa for implementation of Federal Court Order the additional sum of \$50,000.00.

AMENDMENT TABLED

On motion of Mr. Carothers, the amendment offered by Mr. Lee to the bill, H. 37 as amended, was tabled.

Yeas 61, Nays 19.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Buskey, Callahan, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Falkenburg, Gafford, Gregg, Hall, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Kelley, Kennedy, Kinsey, Langford, Lockett, McCluskey, McMillan, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Roberts, Shelton, Shoemaker, Smith (C), Smith (M), Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—61

Nays:

Messrs.: Armstrong, Clark, Greer, Harris, Johnson, Johnstone, Killian, Lee, Leonard, Lutz, McNees, Manley, Morris, Owens, Reed, Robertson, Smith (J), Sparks and Trammell.

—19

AMENDMENT OFFERED

Mr. Hill offered the following amendment No. 3 to the bill, H. 37 as amended:

JOURNAL OF THE HOUSE, 1978
3rd Day

A BILL
TO BE ENTITLED
AN ACT

To amend House Bill 37 making annual appropriations for public education in Alabama by increasing the appropriation for Youth Services.

Be It Enacted by the Legislature of ALABAMA:

Section 1. House Bill 37, Section 3-A-33, Page 38, Lines 22 through 29 is hereby amended to read as follows:

33. Youth Services

| | |
|----------------------------------|-------------------------------|
| (a) Youth Services Program _____ | 8,906,171 <u>9,206,171</u> |
|----------------------------------|-------------------------------|

SOURCE OF FUNDS:

| | | |
|---------------------------------|------------------------|--|
| (a) ASETF | 7,221,171 7,521,171 | |
| (b) Federal & Local Funds | | 1,685,000 |
| Total Youth Services | 7,221,171 7,521,171 | 1,685,000 8,906,171 <u>9,206,171</u> |

(To be expended in accordance with Act No. 816, 1973 Regular Session)

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment No. 3 offered by Mr. Hill to the bill, H. 37 as amended, was tabled.

Yeas 61; Nays 16.

Yeas:

Messrs.: Andrews, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Cates, Cooper, Crawford, Falkenburg, Glass, Gregg, Hall, Harris, Harrison, Hilliard, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McNair, Manley, Merrill, Moore (W), Morris, Naramore, Pegues, Quarles, Ray, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (M), Sonnier, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Williams, Wyatt and Younce.

—61

Nays:

Messrs.: Albright, Armstrong, Callahan, Carter, Clark, Cross, Edwards, Greer, Hill, Killian, Martin, Mitchem, Plaster, Roberts, Sandusky and Whatley.

MOTION TO SUSPEND RULES

Mr. Merrill offered the motion to suspend the rules for passage of the bill, H. 37 as amended.

SUBSTITUTE OFFERED

Mr. Dial offered the following substitute to the bill, H. 37 as amended:

3rd Day

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

| | Fund Sources Included In Appropriation Total | | |
|---|---|----------------|---------|
| | ASETF | Trust Funds | Total |
| Section 3. | | | |
| A. STATE AGENCIES | | | |
| 1. Council on the Arts and Hu- manities | | | |
| (a) Fine Arts Program _____ | | | 914,098 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF _____ | 300,000 | | |
| (2) Federal and Local Funds _____ | | 614,098 | |
| Total Council on the Arts and Hu- manities _____ | 300,000 | 614,098 | 914,098 |
| 2. Debt Service _____ | | | 871,044 |
| (a) For the payment of principal and interest due on bonds issued by the University of Alabama Re- search-Institute pursuant to Con- stitutional Amendment No. CLVII _____ 211,300 | | | |
| (b) Interest on Endowments: | | | |
| For interest on University of Montevallo (Alabama College) Endowment, Estimated ____ 45,000 | | | |
| For interest on Auburn University Endowment _____ 20,280 | | | |
| For interest on University of Ala- bama Endowment _____ 61,000 | | | |
| For interest on Grove Hill Endow- ment _____ 600 | | | |
| For interest on Public School Fund Endowment: | | | |
| Interest on 16th Section lands, Esti- mated _____ 410,000 | | | |
| Interest on School Indemnity lands, Estimated _____ 90,000 | | | |
| Interest on Valueless 16th Section lands _____ 5,825 | | | |
| Interest on Surplus plus Reve- nue _____ 26,764 | | | |
| Interest on James Wallace Fund _____ 275 | | | |
| Total _____ | | | 659,744 |

SOURCE OF FUNDS:

| | | |
|--------------------------|----------------|----------------|
| (1) ASETF | 871,044 | |
| Total Debt Service | <u>871,044</u> | <u>871,044</u> |

3. Board of Dental Scholarship Awards

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 228,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 228,000 | |
| Total Board of Dental Scholarship Awards | <u>228,000</u> | <u>228,000</u> |

(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

4. Department of Education

| | |
|-------------------------------------|-------------|
| (a) Financial Assistance Program .. | 226,621,995 |
|-------------------------------------|-------------|

The proposed spending plan for the above is as follows:

Vocational Education and Other Financial Assistance Programs 48,051,317

(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

| | | |
|--|--------------------|--------------------|
| (1) ASETF | 48,051,317 | |
| (2) Federal and Local Funds | <u>178,570,678</u> | |
| Total Financial Assistance Program | <u>48,051,317</u> | <u>178,570,678</u> |
| | | <u>226,621,995</u> |

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition

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to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand two hundred ten dollars (\$1360) per annum; Rank I teachers not less than one thousand ninety-five dollars (\$1245) per annum; Rank II teachers not less than nine hundred eighty dollars (\$1130) per annum; Rank III teachers not less than eight hundred sixty five dollars (\$1015) per annum; Rank IV teachers not less than seven hundred fifty dollars (\$900) annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase."

(b) Instructional Technical Assistance Program 7,231,665

The proposed spending plan for the above is as follows:

| | |
|---|-----------|
| Civil Defense | 24,200 |
| Drug Education | 181,500 |
| Operation & Maintenance of Department | 331,681 |
| Right-to-Read | 85,000 |
| Career Education | 110,000 |
| Kindergarten Adm. | 85,000 |
| Minimum Program—Trainable Retarded Children | 524,307 |
| National Defense | 399,300 |
| Vocational Education | 1,466,673 |
| Alabama Learning Resource Center | 60,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 3,267,661 | | |
| (2) Federal and Local Funds | | 3,964,004 | |
| Total Instructional Technical Assistance Program | 3,267,661 | 3,964,004 | 7,231,665 |

(The appropriation for Minimum Program — Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program 11,182,190

The proposed spending plan for the above is as follows:

| | |
|--|---------|
| Coordination of In-School Television | 127,201 |
|--|---------|

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Driver Education, School Bus
Driver Training and Vehicle
Safety Inspection 371,289

Operation & Maintenance of De-
partment 337,490

Testing 425,000

Developing, Printing and Pub-
lishing Legal & Policy Man-
uals 5,000

Free Textbooks 8,602,500

Plans & Surveys 90,150

Facilities Survey 300,000

SOURCE OF FUNDS:

(1) ASETF 10,258,630

(2) Federal and Local Funds 923,560

| | | | |
|---|------------|---------|------------|
| Total Local Agency Support Pro- gram | 10,258,630 | 923,560 | 11,182,190 |
| | | | |

(d) Regulation Program 879,432

The proposed spending plan for the
above is as follows:

Operation & Maintenance of De-
partment 349,199

Teacher Certification & Accredita-
tion 237,000

SOURCE OF FUNDS:

(1) ASETF 586,199

(2) Federal and Local Funds 293,233

| | | | |
|--------------------------------|---------|---------|---------|
| Total Regulation Program | 586,199 | 293,233 | 879,432 |
| | | | |

(e) Administrative Services Pro-
gram 8,478,141

The proposed spending plan for the
above is as follows:

Compact for Education .. 20,750

Operation & Maintenance of De-
partment 1,600,043

Telephone Revolving
Fund 1,200,000

SOURCE OF FUNDS:

(1) ASETF 2,820,793

| | | | |
|---|------------------|------------------|------------------|
| (2) Federal and Local Funds _____ | | <u>5,657,348</u> | |
| Total Administrative Services Program _____ | <u>2,820,793</u> | <u>5,657,348</u> | <u>8,478,141</u> |
| (f) Adult Basic Education Program _____ | | | <u>5,660,599</u> |

The proposed spending plan for the above is as follows:

| | |
|---|-----------|
| Adult Basic Education | 1,700,000 |
| Community Education | 100,000 |
| Operation & Maintenance of Department | 15,052 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF _____ | <u>1,815,052</u> | | |
| (2) Federal and Local Funds _____ | | <u>3,845,547</u> | |
| Total Adult Basic Education Program _____ | <u>1,815,052</u> | <u>3,845,547</u> | <u>5,660,599</u> |

| | | | |
|--|--|--|----------------|
| (g) Continuing Education Program _____ | | | <u>777,323</u> |
|--|--|--|----------------|

The proposed spending plan for the above is as follows:

| | |
|--|--------|
| Operations & Maintenance of Department | 20,862 |
| Administration of Private School Act | 49,500 |

SOURCE OF FUNDS:

| | | | |
|--|---------------|----------------|----------------|
| (1) ASETF _____ | <u>70,362</u> | | |
| (2) Federal and Local Funds _____ | | <u>706,961</u> | |
| Total Continuing Education Program _____ | <u>70,362</u> | <u>706,961</u> | <u>777,323</u> |

| | | | |
|---|--|--|--------------|
| (h) Administration of Post-Secondary Vocational-Technical Education Program _____ | | | <u>9,243</u> |
|---|--|--|--------------|

The proposed spending plan for the above is as follows:

| | |
|--|-------|
| Operations & Maintenance of Dept. | 9,243 |
|--|-------|

SOURCE OF FUNDS:

| | | | |
|---|--------------|--|--------------|
| (1) ASETF _____ | <u>9,243</u> | | |
| Total Admin. of Post-Secondary Vocational-Technical Education Program _____ | <u>9,243</u> | | <u>9,243</u> |

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| | |
|--|-------|
| (i) Administration of Junior College School System Program _____ | 9,243 |
|--|-------|

The proposed spending plan for the above is as follows:

| | |
|--|-------|
| Operations & Maintenance of Department _____ | 9,243 |
|--|-------|

SOURCE OF FUNDS:

| | | |
|--|-------|-------|
| (1) ASETF _____ | 9,243 | |
| Total Adm. of Junior College School System Program _____ | 9,243 | 9,243 |

| | | |
|---|--|------------|
| (j) Rehabilitation Services Program _____ | | 32,839,711 |
|---|--|------------|

SOURCE OF FUNDS:

| | | |
|---|------------|------------|
| (1) ASETF _____ | 7,097,000 | |
| (2) Federal and Local Funds _____ | 25,742,711 | |
| Total Rehabilitation Services Program _____ | 7,097,000 | 25,742,711 |
| | | 32,839,711 |

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

| | | |
|------------------------------|--|---------|
| (k) Hemophilia Program _____ | | 200,000 |
|------------------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF _____ | 300,000 | |
| Total Hemophilia Program _____ | 300,000 | 300,000 |

(As provided for under Act 1181, 1975 Regular Session.)

| | | |
|-----------------------------|--|-----------|
| (1) Homebound Program _____ | | 2,900,000 |
|-----------------------------|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------------|-----------|-----------|
| (1) ASETF _____ | 2,900,000 | |
| Total Homebound Program _____ | 2,900,000 | 2,900,000 |

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

| | | | |
|---|--|--|-----------|
| (m) Disability Determination for Social Security Program _____ | | | 7,549,812 |
|---|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|---|------------------|--|------------------|
| (1) Federal and Local Funds _____ | 7,549,812 | | |
| Total Disability Determination for Social Security Program _____ | <u>7,549,812</u> | | <u>7,549,812</u> |

| | | | |
|---|--|--|-----------|
| (n) Crippled Children Services Program _____ | | | 6,742,190 |
|---|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF _____ | 4,303,690 | | |
| (2) Federal and Local Funds _____ | | 2,762,500 | |
| Total Crippled Children Services Program _____ | <u>3,979,690</u> | <u>2,762,500</u> | <u>6,742,190</u> |

| | | | |
|--|--|--|-----------|
| (o) Manpower Development and Employment _____ | | | 6,218,844 |
|--|--|--|-----------|

The proposed spending plan for the
above is as follows:

| | |
|--|--------|
| Operation & Maintenance of De- partment _____ | 17,958 |
|--|--------|

| | |
|--|---------|
| Comprehensive Employment & Training _____ | 484,000 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|----------------|------------------|------------------|
| (1) ASETF _____ | 501,958 | | |
| (2) Federal and Local Funds _____ | | 5,392,886 | |
| Total Manpower Development and Employment Opportunities Pro- gram _____ | <u>501,958</u> | <u>5,392,886</u> | <u>5,894,844</u> |

| | | | |
|---|--|--|---------|
| (p) Planning and Coordination Services Program _____ | | | 181,826 |
|---|--|--|---------|

The proposed spending plan for the
above is as follows:

| | |
|--|---------|
| Southern Regional Educational Board _____ | 181,826 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|----------------|--|----------------|
| (1) ASETF _____ | 181,826 | | |
| Total Planning & Coordination Services Program _____ | <u>181,826</u> | | <u>181,826</u> |

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| | |
|---|--------|
| (q) Support of State Universities Program | 10,000 |
|---|--------|

The proposed spending plan for the above is as follows:

| | |
|--|--------|
| Education of Dependents of Blind Parents | 10,000 |
|--|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 10,000 |
|-----------------|--------|

| | |
|---|--------|
| Total Support of State Universities Program | 10,000 |
|---|--------|

For reimbursement of every State Institution of Higher Learning, College, University, or Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

| | |
|--|-----------|
| (r) Emergency Medical Services Education Program | 1,500,000 |
|--|-----------|

To be distributed by the Department of Education as follows:

| | |
|--|---------|
| (1) West Alabama Emergency Medical Services, Inc. | 307,000 |
|--|---------|

| | |
|--|---------|
| (2) Birmingham Regional Emergency Medical Services System .. | 292,000 |
|--|---------|

| | |
|---|---------|
| (3) North Alabama Emergency Medical Services, Inc. | 277,000 |
|---|---------|

| | |
|---|---------|
| (4) Southeast Alabama Emergency Medical Services Systems, Inc. | 277,000 |
|---|---------|

| | |
|--|---------|
| (5) East Alabama Emergency Medical Services, Inc. | 227,000 |
|--|---------|

| | |
|---|---------|
| (6) Southwest Alabama Emergency Medical Services Council, Inc. | 120,000 |
|---|---------|

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 1,500,000 |
|-----------------|-----------|

| | |
|---|-----------|
| Total Emergency Medical Service Education Program | 1,500,000 |
|---|-----------|

TOTAL DEPARTMENT OF EDUCATION

SOURCE OF FUNDS:

| | | | |
|---|-------------------|--------------------|--------------------|
| (1) ASETF | 83,358,974 | | |
| (2) Federal and Local Funds | | <u>235,409,240</u> | |
| Grand Total Department of Education | <u>83,358,974</u> | <u>235,409,240</u> | <u>318,768,214</u> |

5. Examiners of Public Accounts

| | | | |
|--|--|--|-----------|
| (a) Legislative Support-Audit Services Program | | | 1,000,000 |
|--|--|--|-----------|

For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

| | | | |
|--|------------------|--|------------------|
| (1) ASETF | <u>1,000,000</u> | | |
| Total Examiners of Public Accounts | <u>1,000,000</u> | | <u>1,000,000</u> |

6. Alabama Film Commission

| | | | |
|---|--|--|--------|
| (a) Promotional Development Program | | | 70,000 |
|---|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|---------------|--|---------------|
| (1) ASETF | <u>70,000</u> | | |
| Total Alabama Film Commission .. | <u>70,000</u> | | <u>70,000</u> |

7. Alabama School of Fine Arts

| | | | |
|-----------------------------|--|--|---------|
| (a) Fine Arts Program | | | 591,855 |
|-----------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|----------------|---------------|----------------|
| (1) ASETF | 800,000 | | |
| (2) Federal and Local Funds | | <u>91,855</u> | |
| Total Alabama School of Fine Arts .. | <u>800,000</u> | <u>91,855</u> | <u>891,855</u> |

8. Alabama Firefighters' Personnel Standards and Education Commission

| | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing & Regulation Program | | | 150,000 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|----------------|--|----------------|
| (1) ASETF | <u>150,000</u> | | |
| Total Alabama Firefighters' Personnel Standards and Education Commission | <u>150,000</u> | | <u>150,000</u> |

9. Health Department

| | |
|-------------------------------------|---------|
| (a) Health Support Services Program | 500,000 |
|-------------------------------------|---------|

For immunization of pre-school children and students and for public school food sanitation.

| | |
|---|---------|
| (b) For the Division of Maternal and Child Health | 200,000 |
|---|---------|

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

SOURCE OF FUNDS:

| | | |
|-------------------------|----------------|----------------|
| (1) ASETF | 700,000 | |
| Total Health Department | <u>700,000</u> | <u>700,000</u> |

10. Commission on Higher Education

| | |
|--|---------|
| (a) Planning & Coordination Services Program | 462,430 |
|--|---------|

| | |
|---|-----------|
| (b) Support of Other Educational Activities Program | 2,538,800 |
|---|-----------|

SOURCE OF FUNDS:

| | | |
|--------------------------------------|------------------|------------------|
| (1) ASETF | 1,725,400 | |
| (2) Federal and Local Funds | <u>1,275,830</u> | |
| Total Commission on Higher Education | <u>1,725,400</u> | <u>1,275,830</u> |
| | | <u>3,001,230</u> |

No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

| | |
|--|---------|
| (a) Professional and Occupational Licensing and Regulation Pro- gram | 542,891 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|--------|---------|---------|
| (1) ASETF as provided in Act No. 68, 1977 Special Session. Scholar- ships for Graduate Nurses | 57,000 | | |
| (2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended | | 485,891 | |
| Total Alabama Board of Nursing | 57,000 | 485,891 | 542,891 |

12. Alabama Historical Commis-
sion

| | |
|---|---------|
| (a) Historical Resource Manage- ment Program | 100,000 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 100,000 | | |
| Total Alabama Historical Commis- sion | 100,000 | | 100,000 |

13. Alabama Industrial Develop-
ment Training Institute

| | |
|------------------------------------|-----------|
| (a) Industrial Training Program .. | 1,885,752 |
|------------------------------------|-----------|

SOURCE OF FUNDS:

| | | | |
|---|-----------|--|-----------|
| (1) ASETF | 1,885,752 | | |
| Total Alabama Industrial Develop- ment Training Inst. | 1,885,752 | | 1,885,752 |

14. Junior College School System

| | |
|---|------------|
| (a) Academic Instruction and Insti- tutional Support Program | 67,848,063 |
|---|------------|

SOURCE OF FUNDS:

| | | | |
|---|------------|------------|------------|
| (1) ASETF | 39,550,000 | | |
| (2) Federal and Local Funds | | 9,050,476 | |
| (3) State Funds | | 245,787 | |
| (4) Other Funds | | 19,001,800 | |
| Total Junior College School System | 39,550,000 | 28,298,063 | 67,848,063 |

For operation and maintenance of the Junior Colleges listed below
to be distributed on formula adopted by the State Board of Education.

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\$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted by ranks to all full-time instructors, librarians and counselors in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 199,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 199,000 | |
| Total Alabama Law Institute | 199,000 | 199,000 |

16. Legislature

| | |
|--|-----------|
| (a) Legislative Operations & Support Program | 1,000,000 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------|-----------|-----------|
| (1) ASETF | 1,000,000 | |
| Total Legislature | 1,000,000 | 1,000,000 |

17. Public Library Service

| | |
|---|-----------|
| (a) Public Library Services Program | 3,782,066 |
|---|-----------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 2,313,000 | | |
| (2) ASETF for equipment purchases for physically handicapped and blind | 47,000 | | |
| (3) ASETF for operation of facility | 390,000 | | |
| (4) Federal and Local Funds | | 1,032,066 | |
| Total Public Library Services | 2,750,000 | 1,032,066 | 3,782,066 |

18. Marine Environmental Sciences Consortium

| | | | |
|---|--|--|---------|
| (a) Support of other Educational Activities Program | | | 778,750 |
|---|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 568,750 | | |
| (2) Federal and Local Funds | | 60,000 | |
| (3) University of Alabama | | 150,000 | |
| Total Marine Environmental Sciences Consortium | 568,750 | 210,000 | 778,750 |

19. Medical Scholarships Board

| | | | |
|---|--|--|---------|
| (a) Support of other Educational Activities Program | | | 555,000 |
|---|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|---------|--|---------|
| (1) ASETF | 555,000 | | |
| Total Medical Scholarship Board | 555,000 | | 555,000 |

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program

| | | | |
|--|--|--|-------------|
| (a) Financial Assistance Program | | | 576,476,419 |
|--|--|--|-------------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-------------|------------|-------------|
| (1) ASETF | 551,799,934 | | |
| (2) Public School Fund | | 20,000,000 | |
| (3) Local Effort | | 4,676,485 | |
| Total Minimum Program Fund | 551,799,934 | 24,676,485 | 576,476,419 |

(aa) To be distributed by the State Board of Education for:

| | | | |
|--------------------|-------------|--|--|
| Local Boards | 484,910,244 | | |
|--------------------|-------------|--|--|

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| | |
|--|------------|
| Board of Adjustment Awards | 150,000 |
| Teachers Sick Leave | 3,890,178 |
| Teachers Personal Leave | 1,296,726 |
| Hospital-Medical Insurance Assistance | 9,427,961 |
| Funds to Replace Fees | 10,488,225 |
| Maintenance | 6,000,000 |
| Sick Leave for Support Personnel.... | 800,000 |
| Additional for Special Education.... | 25,550,000 |
| Salary Increases for Lunchroom Workers | 7,747,000 |
| Insurance for Support Staff | 6,300,000 |

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included

under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P. L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P. L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall with-

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hold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expending from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other

than those selected under this Act be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan (s) and the carrier (s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum for full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall be local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

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Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand two hundred ten dollars (\$1360) per annum; Rank I teachers not less than one thousand ninety five dollars (\$1245) per annum; Rank II teachers not less than nine hundred eighty dollars (\$1130) per annum; Rank III teachers not less than eight hundred sixty five dollars (\$1015) per annum; Rank IV teachers not less than seven hundred fifty dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificate. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars

(\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

| | |
|---|---------|
| (a) Employment and Social Opportunities Program | 590,051 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 200,000 | | |
| (2) Federal and Local Funds | | 390,051 | |
| Total Alabama Occupational Information System | 200,000 | 390,051 | 590,051 |

22. Alabama Peace Officers Standards and Training Commission

| | |
|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | 80,000 |
| (b) Certified Law Enforcement Academy Programs | 146,200 |

| | |
|-------------------------------------|--------|
| Jacksonville State University | 36,550 |
| University of Alabama | 36,550 |
| James H. Faulkner Jr. College | 36,550 |
| Troy State Univ. Montgomery | 36,550 |

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 226,200 | |
| Total Alabama Peace Officers Standards and Training Commission | 226,200 | 226,200 |

23. Commission on Physical Fitness

| | |
|-------------------------------------|--------|
| (a) Advisory Services Program | 83,000 |
|-------------------------------------|--------|

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SOURCE OF FUNDS:

| | | |
|--|--------|------------|
| (1) ASETF | 83,000 | |
| Total Commission on Physical Fitness | 83,000 | 83,000 |
| 24. Post-Secondary Vocational-Technical Education System | | |
| (a) Instructional and Institutional Support Program | | 45,972,443 |

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 32,451,521 | | |
| (2) Federal and Local Funds | | 815,457 | |
| (3) Other Funds | | 12,705,465 | |
| Total Post-Secondary Vocational-Technical Education System | 32,451,521 | 13,520,922 | 45,972,443 |

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education. (The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessmer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical Institute; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas McArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville). Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted by ranks to all full-time instructors, librarians and counselors in accordance with the schedule adopted by the State Board of Education on June 14, 1978, and personnel shall be placed on the schedule and given credit for each year of actual employment.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received,

shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

25. Social Security

| | |
|---|------------|
| (a) For State's share of Social Security, Estimated _____ | 47,249,440 |
|---|------------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|-------------------|-------------------|
| (1) ASETF _____ | 47,249,440 | |
| Total Social Security _____ | <u>47,249,440</u> | <u>47,249,440</u> |

26. Sports Hall of Fame

| | |
|---|--------|
| (a) Historical Resources Management Program _____ | 51,894 |
|---|--------|

SOURCE OF FUNDS:

| | | | |
|--|---------------|---------------|---------------|
| (1) ASETF _____ | 30,000 | | |
| (2) Sports Hall of Fame Operating Fund _____ | | <u>21,894</u> | |
| Total Sports Hall of Fame _____ | <u>30,000</u> | <u>21,894</u> | <u>51,894</u> |

27. Alabama Education Study Commission

| | |
|-------------------------------------|---------|
| (a) Advisory Services Program _____ | 210,000 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF _____ | <u>210,000</u> | |
| Total Alabama Education Study Commission _____ | <u>210,000</u> | <u>210,000</u> |

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

| | |
|---|-------------|
| (a) Retirement Systems Program, Estimated _____ | 142,396,640 |
|---|-------------|

SOURCE OF FUNDS:

| | | |
|---|--------------------|--------------------|
| (1) ASETF-Teachers' Retirement System _____ | 140,297,462 | |
| (2) ASETF-Teachers' Special Pension Fund _____ | <u>2,099,178</u> | |
| Total Retirement System Program (State's Share) _____ | <u>142,396,640</u> | <u>142,396,640</u> |

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expendi-

ture of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

(a) Regulation Program _____ 10,000

SOURCE OF FUNDS:

| | | |
|------------------------------------|---------------|---------------|
| (1) ASETF _____ | 10,000 | |
| Total State Tenure Commission ____ | <u>10,000</u> | <u>10,000</u> |

30. Educational TV Commission

(a) Educational TV Services Program _____ 2,885,500

(b) Public Radio Service Program _____ 195,000

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|------------------|----------------|------------------|
| (1) ASETF _____ | 2,205,500 | | |
| (2) Federal and Local Funds _____ | | <u>875,000</u> | |
| Total Educational TV Commission.... | <u>2,205,500</u> | <u>875,000</u> | <u>3,080,500</u> |

31. Veterans Education Benefits

(a) Administration of Veterans Affairs Program _____ 1,350,000

SOURCE OF FUNDS:

| | | |
|---|------------------|------------------|
| (1) ASETF _____ | <u>1,350,000</u> | |
| Total Veterans Educational Benefits _____ | <u>1,350,000</u> | <u>1,350,000</u> |

The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

(a) Support of other Educational Activities Program _____ 1,000

SOURCE OF FUNDS:

| | | |
|--|--------------|--------------|
| (1) ASETF _____ | <u>1,000</u> | |
| Total John M. Will Journalism Scholarship Fund _____ | <u>1,000</u> | <u>1,000</u> |

33. Youth Services

(a) Youth Services Program _____ 8,906,171

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|-----------|-----------|
| (1) ASETF _____ | 7,221,171 | | |
| (2) Federal and Local Funds _____ | | 1,685,000 | |
| Total Youth Services _____ | 7,221,171 | 1,685,000 | 8,906,171 |

(To be expended in accordance
with Act No. 816, 1973 Regular
Session.)

SECTION 4.

B. NON-STATE EDUCATIONAL
AGENCIES:1. American Legion Auxiliary
Scholarship Fund _____ 10,000

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF _____ | 10,000 | | |
| Total American Legion Auxiliary Scholarship Fund _____ | 10,000 | | 10,000 |

(To be expended under the pro-
visions of Act No. 676, 1978
Regular Session.)

2. Birmingham Symphony

(a) Fine Arts Program _____ 95,000

SOURCE OF FUNDS:

| | | | |
|---------------------------------|--------|--|--------|
| (1) ASETF _____ | 95,000 | | |
| Total Birmingham Symphony _____ | 95,000 | | 95,000 |

3. Birmingham Training Center for
Brain Injured Children(a) Non-Institutional Treatment
and Care Program _____ 30,000

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF _____ | 30,000 | | |
| Total Birmingham Training Center for Brain Injured Children _____ | 30,000 | | 30,000 |

4. East Alabama Regional Child
Development Program

(a) Financial Assistance Program _____ 580,373

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SOURCE OF FUNDS:

| | | | |
|---|---------|--------|---------|
| (1) ASETF | 525,000 | | |
| (2) Federal and Local Funds | | 55,373 | |
| Total East Alabama Regional Child Development Program | 525,000 | 55,373 | 580,373 |

Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.

5. Environmental Quality Association

| | |
|---|---------|
| (a) Environmental Education Program | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 175,000 | |
| Total Environmental Quality Association | 175,000 | 175,000 |

6. Montgomery Institute for Neurological Development

| | |
|--|--------|
| (a) Non-Institutional Treatment and Care Program | 25,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 25,000 | |
| Total Montgomery Institute of Neurological Development | 25,000 | 25,000 |

7. Opportunities Industrialization Centers

| | |
|---|---------|
| (a) Manpower Development and Employment Opportunities Program | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 175,000 | |
| Total Opportunities Industrialization Centers | 175,000 | 175,000 |

8. Sylacauga Nurses Training School

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 348,984 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|--|--------|---------|---------|
| (1) ASETF | 58,000 | | |
| (2) Federal and Local Funds | | 17,500 | |
| (3) Other Funds | | 273,484 | |
| Total Sylacauga Nurses Training School | 58,000 | 290,984 | 348,984 |

(The above includes \$18,000 for Nursing Scholarships.)

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)

9. Hall of Fame Bowl Game:

| | |
|--|--------|
| (a) Tourism and Travel Promotion | 50,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|--------|--------|
| (1) ASETF | 50,000 | |
| Total Hall of Fame Bowl Game | 50,000 | 50,000 |

10. Alabama Shakespeare Festival

| | |
|-----------------------------|-------|
| (a) Fine Arts Program | 2,500 |
|-----------------------------|-------|

SOURCE OF FUNDS:

| | | |
|--|-------|-------|
| (1) ASETF | 2,500 | |
| Total Alabama Shakespeare Festival | 2,500 | 2,500 |

Section 5.

COLLEGES, UNIVERSITIES
AND SCHOOLS

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

| | |
|--|------------|
| (a) Instruction | 22,187,787 |
| (b) Transfers | 833,373 |
| (c) Libraries | 1,405,171 |
| (d) Academic Support (excl. Libr.) | 4,511,867 |
| (e) Student Services | 1,558,251 |

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| | |
|--|-----------|
| (f) Institutional Support _____ | 6,550,441 |
| (g) Operation & Maintenance of Physical Plant _____ | 5,646,479 |
| (h) Scholarship and Fellowships — | 648,766 |
| (i) Capital Outlay _____ | 1,095,259 |
| (j) Debt Service _____ | 292,240 |

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF _____ | 31,323,728 | | |
| (2) Other Sources _____ | | 13,405,906 | |
| Total Operations & Maintenance, Extension, Public Service & Re- search _____ | 31,323,728 | 13,405,906 | 44,729,634 |

2. Extension, Public Service & Re-
search:

| | |
|--------------------------|-----------|
| (a) Research _____ | 133,829 |
| (b) Public Service _____ | 2,665,090 |
| (c) Capital Outlay _____ | 20,720 |
| (d) Debt Service _____ | 57,364 |
| (e) Transfers _____ | 16,594 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF _____ | 1,850,000 | | |
| (2) Other Sources _____ | | 1,043,597 | |
| Total Extension, Public Service, and Research _____ | 1,850,000 | 1,043,597 | 2,893,597 |

3. Emergency Medical Services
Paramedic Training:

(For operation and maintenance)

| | |
|--------------------------|---------|
| (a) Public Service _____ | 125,000 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|---------|---------|
| (1) ASETF _____ | 125,000 | |
| Total Emergency Medical Services | 125,000 | 125,000 |

4. Center for Emotionally Dis-
turbed Children:

| | |
|------------------------------------|---------|
| (a) Academic Support (excl. Libr.) | 472,462 |
|------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 472,462 | |
| Total Center for Emotionally Dis- turbed Children | 472,462 | 472,462 |

5. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |

6. School of Mines:

| | |
|--------------------------|---------|
| (a) Research | 859,000 |
| (b) Public Service | 200,000 |

SOURCE OF FUNDS:

| | | |
|-----------------------------|-----------|-----------|
| (1) ASETF | 1,059,000 | |
| Total School of Mines | 1,059,000 | 1,059,000 |

7. Family Practice Center:

| | |
|------------------------------------|---------|
| (a) Instruction | 312,285 |
| (b) Academic Support (excl. Libr.) | 429,360 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|---------|---------|
| (1) ASETF | 741,645 | |
| Total Family Practice Center | 741,645 | 741,645 |

8. Alabama Museum of Natural
History-Mound State Park and
Archaeological Service:

| | |
|--------------------------|---------|
| (a) Public Service | 182,195 |
| (b) Capital Outlay | 6,705 |

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 150,000 | |
| (2) Other Sources | 38,900 | |
| Total Alabama Museum of Natural History-Mound State Park and Archaeological | 150,000 | 38,900 |
| | | 188,900 |

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9. College of Community Health Sciences:

| | |
|---|-----------|
| (a) Instruction | 1,515,047 |
| (b) Libraries | 135,377 |
| (c) Academic Support (excl. Libr.) | 409,836 |
| (d) Operation & Maintenance of Physical Plant | 169,412 |
| (e) Capital Outlay | 30,314 |
| (f) Hamilton Family Residency Program | 175,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|---------|-----------|
| (1) ASETF | 2,329,986 | | |
| (2) Other Sources | | 105,000 | |
| Total College of Community Health Sciences | 2,329,986 | 105,000 | 2,434,986 |

10. Auxiliary Enterprises:

| | |
|------------------------------------|------------|
| (a) Scholarships & Fellowships --- | 421,679 |
| (b) Capital Outlay | 37,652 |
| (c) Auxiliary Enterprises | 10,517,791 |
| (d) Debt Service | 1,457,481 |
| (e) Transfer to Plant Funds | 526,900 |

SOURCE OF FUNDS:

| | | |
|-----------------------------------|------------|------------|
| (1) Other Sources | 12,961,503 | |
| Total Auxiliary Enterprises | 12,961,503 | 12,961,503 |

11. Restricted Funds:

| | |
|---|-----------|
| (a) Instruction | 6,310,584 |
| (b) Research | 1,120,746 |
| (c) Public Service | 934,713 |
| (d) Academic Support (excl. Libr.) | 79,116 |
| (e) Student Services | 102,883 |
| (f) Institutional Support | 308,817 |
| (g) Operation & Maintenance of Physical Plant | 138,348 |
| (h) Scholarships and Fellowships | 795,308 |
| (i) Capital Outlay | 347,637 |

SOURCE OF FUNDS:

| | | | |
|------------------------------|-------------------|-------------------|--|
| (1) State Funds | 3,185,481 | | |
| (2) Federal Funds | 5,692,671 | | |
| (3) Other Sources | 1,260,000 | | |
| Total Restricted Funds | <u>10,138,152</u> | <u>10,138,152</u> | |

12. Gadsden Cooperative Upper
Division Program:

| | | | |
|--------------------------|--|--|---------|
| (a) Instruction | | | 267,168 |
| (b) Capital Outlay | | | 15,992 |

SOURCE OF FUNDS:

| | | | |
|---|----------------|---------------|----------------|
| (1) ASETF | 193,189 | | |
| (2) Other Sources | | 89,971 | |
| Total Gadsden Cooperative Upper Division Program | <u>193,189</u> | <u>89,971</u> | <u>283,160</u> |

13. Rural Infant Development En-
vironment Program

125,000

SOURCE OF FUNDS:

| | | | |
|---|----------------|--|----------------|
| (1) ASETF | <u>125,000</u> | | |
| Total Rural Infant Development Environment Program | <u>125,000</u> | | <u>125,000</u> |

T O T A L UNIVERSITY OF
ALABAMA

| | | |
|-------------------|-------------------|-------------------|
| <u>38,388,010</u> | <u>37,783,029</u> | <u>76,171,039</u> |
|-------------------|-------------------|-------------------|

B. University of Alabama in
Birmingham

1. School of Medicine:

| | |
|--|------------|
| (a) Instruction | 14,013,030 |
| (b) Research | 17,975,212 |
| (c) Public Service | 5,638,999 |
| (d) Libraries | 264,132 |
| (e) Academic Support (excl. Libr.) | 1,361,489 |
| (f) Student Services | 401,368 |
| (g) Institutional Support | 2,924,249 |
| (h) Operation & Maintenance of Physical Plant | 3,596,996 |
| (i) Scholarships and Fellowships... | 115,000 |

SECOND EXTRAORDINARY SESSION
3rd Day

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| | |
|--|---------|
| (j) Capital Outlay | 900,000 |
| (k) Equipment-Other than Auto- motive (For Cavitron Laser Machine) | 70,000 |
| (l) Training on Special Cancer De- tection for Rehabilitating for Speech & Hearing Disorders | 45,000 |
| (m) Debt Service | 724,221 |
| (n) Hyperthermia Program | 109,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|------------|------------|
| (1) ASETF | 16,199,000 | | |
| (2) State Funds | | 1,550,000 | |
| (3) Federal Funds | | 22,400,000 | |
| (4) Local Funds | | 550,000 | |
| (5) Other Sources | | 7,439,696 | |
| Total School of Medicine | 16,199,000 | 31,939,696 | 48,138,696 |

2. Family and Other Primary Care
Residency Programs:

| | |
|--|-----------|
| (a) Instruction | 1,723,390 |
| (b) Institutional Support | 18,590 |
| (c) Operation & Maintenance of Physical Plant | 20,020 |

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,762,000 | |
| Total Family and Other Primary Care Residency Programs | 1,762,000 | 1,762,000 |

The above appropriation shall be
expended for residency programs
as follows:

| | |
|-----------------------------------|---------|
| Anniston | 230,000 |
| East End | 230,000 |
| Jefferson County | 230,000 |
| Montgomery | 330,000 |
| Montg.-Internal Medicine | 220,000 |
| Heflin | 50,000 |
| Selma | 342,000 |
| Gadsden | 230,000 |

3. University College:

| | |
|--|------------|
| (a) Instruction | 10,763,800 |
| (b) Research | 453,100 |
| (c) Public Service | 1,061,300 |
| (d) Libraries | 1,357,200 |
| (e) Academic Support (excl. Lib.) | 2,467,492 |
| (f) Student Services | 903,284 |
| (g) Institutional Support | 2,248,924 |
| (h) Operation & Maintenance of Physical Plant | 1,675,854 |
| (i) Scholarships and Fellowships.. | 120,000 |
| (j) Capital Outlay | 400,000 |
| (k) For Vocational Teacher Train- ing | 125,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|-----------|------------|
| (1) ASETF | 13,452,764 | | |
| (2) Federal Funds | | 382,821 | |
| (3) Local Funds | | 656,903 | |
| (4) Other Sources | | 7,083,466 | |
| Total University College | 13,452,764 | 8,123,190 | 21,575,954 |

4. University Hospital and Clinics:

| | |
|------------------------|------------|
| (a) Hospital | 81,914,088 |
| (b) Debt Service | 2,798,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|------------|------------|
| (1) ASETF | 5,907,000 | | |
| (2) Other Sources | | 78,805,088 | |
| Total University Hospital and Clinics | 5,907,000 | 78,805,088 | 84,712,088 |

5. School of Optometry:

| | |
|-----------------------------------|-----------|
| (a) Instruction | 2,111,241 |
| (b) Research | 91,684 |
| (c) Public Service | 62,188 |
| (d) Libraries | 5,477 |
| (e) Academic Support (excl. Lib.) | 296,586 |
| (f) Student Services | 33,263 |

SECOND EXTRAORDINARY SESSION
3rd Day

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| | |
|--|---------|
| (g) Institutional Support | 154,370 |
| (h) Operation & Maintenance of Physical Plant | 315,882 |
| (i) Debt Service | 26,125 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,021,500 | | |
| (2) State Funds | | 267,731 | |
| (3) Other Sources | | 807,585 | |
| Total School of Optometry | 2,021,500 | 1,075,316 | 3,096,816 |

6. School of Public and Allied Health:

| | |
|--|-----------|
| (a) Instruction | 1,890,445 |
| (b) Research | 64,469 |
| (c) Public Service | 245,500 |
| (d) Libraries | 27,785 |
| (e) Academic Support (excl. Libr.) | 484,513 |
| (f) Student Services | 60,197 |
| (g) Institutional Support | 230,800 |
| (h) Operation & Maintenance of Physical Plant | 257,771 |
| (i) Scholarships and Fellowships | 16,000 |
| (j) Debt Service | 29,514 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,838,473 | | |
| (2) Federal Funds | | 1,089,642 | |
| (3) Other Sources | | 378,879 | |
| Total School of Community and Allied Health Resources | 1,838,473 | 1,468,521 | 3,306,994 |

7. Regional Technical Institute:

| | |
|--|-----------|
| (a) Instruction | 1,382,972 |
| (b) Research | 24,750 |
| (c) Public Service | 95,495 |
| (d) Libraries | 35,627 |
| (e) Academic Support (excl. Libr.) | 210,097 |
| (f) Student Services | 63,388 |

| | |
|--|---------|
| (g) Institutional Support _____ | 102,146 |
| (h) Operation & Maintenance of Physical Plant _____ | 292,825 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|---------|-----------|
| (1) ASETF _____ | 1,697,245 | | |
| (2) Federal Funds _____ | | 349,873 | |
| (3) Other Sources _____ | | 160,182 | |
| Total Regional Technical Institute | 1,697,245 | 510,055 | 2,207,300 |

8. Joint Health Sciences Program:

| | |
|--|-----------|
| (a) Instruction _____ | 1,675,968 |
| (b) Libraries _____ | 32,400 |
| (c) Academic Support (excl. Libr.) _____ | 185,700 |
| (d) Student Services _____ | 12,000 |
| (e) Institutional Support _____ | 280,400 |
| (f) Operation & Maintenance of Physical Plant _____ | 572,164 |
| (g) Scholarships and Fellowships _____ | 100,000 |
| (h) Capital Outlay _____ | 50,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|---------|-----------|
| (1) ASETF _____ | 2,392,488 | | |
| (2) Federal Funds _____ | | 175,800 | |
| (3) Other Sources _____ | | 340,344 | |
| Total Joint Health Sciences Pro- gram _____ | 2,392,488 | 516,144 | 2,908,632 |

9. Department of Pediatrics:

| | |
|-----------------------|---------|
| (a) Instruction _____ | 318,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------|---------|--|---------|
| (1) ASETF _____ | 318,000 | | |
| Total Department of Pediatrics | 318,000 | | 318,000 |

10. Center for Labor Education &
Research:

| | |
|---------------------------------|---------|
| (a) Research _____ | 43,070 |
| (b) Public Service _____ | 172,270 |
| (c) Institutional Support _____ | 30,040 |

SECOND EXTRAORDINARY SESSION
3rd Day

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| | |
|--|--------|
| (d) Operation & Maintenance of Physical Plant | 23,794 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 269,174 | |
| <hr/> | | |
| Total Center for Labor Education and Research | 269,174 | 269,174 |
| | | <hr/> |

11. Student Nurses Loans:

| | |
|-------------------------------------|--------|
| (a) Scholarships & Fellowships..... | 12,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 12,000 | |
| <hr/> | | |
| Total Student Nurses Loans | 12,000 | 12,000 |

12. Special Mental Health:

| | |
|--|-----------|
| (a) Instruction | 1,684,908 |
| (b) Research | 362,451 |
| (c) Public Service | 91,707 |
| (d) Institutional Support | 95,246 |
| (e) Operation & Maintenance of Physical Plant | 80,877 |
| (f) Transfers | 567,710 |

SOURCE OF FUNDS:

| | | |
|--------------------------------------|-----------|-----------|
| (1) Special Mental Health Fund | 2,882,899 | |
| <hr/> | | |
| Total Special Mental Health | 2,882,899 | 2,882,899 |
| | | <hr/> |

13. Center for Developmental and
Learning Disorders:

| | |
|--------------------------|-----------|
| (a) Instruction | 1,404,635 |
| (b) Research | 25,083 |
| (c) Public Service | 1,078,560 |

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) Special Mental Health Fund..... | 487,250 | |
| (2) Federal Funds | 1,482,501 | |
| (3) Other Sources | 538,527 | |
| <hr/> | | |
| Total Center for Development and Learning Disorders | 2,508,278 | 2,508,278 |
| | | <hr/> |

14. School of Dentistry:

| | |
|-----------------------|-----------|
| (a) Instruction | 5,525,057 |
|-----------------------|-----------|

| | |
|--|-----------|
| (b) Research | 3,871,173 |
| (c) Public Service | 561,287 |
| (d) Libraries | 102,052 |
| (e) Academic Support (excl. Libr.) | 574,044 |
| (f) Student Services | 127,565 |
| (g) Institutional Support | 803,661 |
| (h) Operation & Maintenance of Physical Plant | 2,079,120 |
| (i) Debt Service | 85,000 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,938,000 | | |
| (2) Federal Funds | | 4,100,000 | |
| (3) Other Sources | | 2,690,959 | |
| Total School of Dentistry | 6,938,000 | 6,790,959 | 13,728,959 |

15. School of Nursing Scholarships:

| | |
|--------------------------------------|--------|
| (a) Scholarships & Fellowships | 88,400 |
|--------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 88,400 | | |
| Total S c h o o l of Nursing Scholarships | 88,400 | | 88,400 |

16. System Medical Education
Program:

| | |
|-----------------------|---------|
| (a) Instruction | 503,500 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 503,500 | | |
| Total System Medical Education Program | 503,500 | | 503,500 |

17. School of Nursing:

| | |
|--|-----------|
| (a) Instruction | 2,621,714 |
| (b) Research | 51,134 |
| (c) Public Service | 45,000 |
| (d) Libraries | 34,080 |
| (e) Academic Support (excl. Libr.) | 399,325 |
| (f) Student Services | 133,991 |
| (g) Institutional Support | 248,857 |

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3rd Day

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| | |
|--|---------|
| (h) Operation & Maintenance of Physical Plant | 317,983 |
| (i) Scholarships & Fellowships | 20,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,546,102 | | |
| (2) Federal Funds | | 719,603 | |
| (3) Other Sources | | 606,379 | |
| Total School of Nursing | 2,546,102 | 1,325,982 | 3,872,084 |

18. Health - Related Research and
Public Service:

| | |
|--|-----------|
| (a) Instruction | 925,900 |
| (b) Research | 670,900 |
| (c) Public Service | 1,051,100 |
| (d) Academic Support (excl. Libr.) | 24,900 |
| (e) Institutional Support | 135,500 |
| (f) Operation & Maintenance of Physical Plant | 141,654 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|--------|-----------|
| (1) ASETF | 2,889,654 | | |
| (2) Other Sources | | 60,300 | |
| Total Health-Related Research and Public Service | 2,889,654 | 60,300 | 2,949,954 |

(These appropriations under Subsection B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

| | |
|--------------------------|---------|
| (a) Instruction | 125,000 |
| (b) Public Service | 40,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 165,000 | | |
| Total Emergency Medical Training | 165,000 | | 165,000 |

20. Urban Research and Public
Service:

| | |
|--|--------|
| (a) Research | 46,800 |
| (b) Public Service | 97,870 |
| (c) Libraries | 17,020 |
| (d) Operation & Maintenance of Physical Plant | 8,522 |

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 170,212 | |
| Total Urban Research & Public Service | 170,212 | 170,212 |

| | |
|---------------------------------|---------|
| 21. Hypertension Research | 400,000 |
|---------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 400,000 | |
| Total Hypertension Research | 400,000 | 400,000 |

| | |
|------------------------------|---------|
| 22. Arthritis Research | 400,000 |
|------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF | 400,000 | |
| Total Arthritis Research | 400,000 | 400,000 |

| | | | |
|--|------------|-------------|-------------|
| TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM | 59,970,512 | 136,006,428 | 195,976,940 |
|--|------------|-------------|-------------|

C. University of Alabama in
Huntsville:

(1) Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 4,439,805 |
| (b) Research | 1,514,883 |
| (c) Public Service | 277,652 |
| (d) Libraries | 330,645 |
| (e) Academic Support (excl. Lib.) .. | 264,531 |
| (f) Student Service | 536,212 |
| (g) Institutional Support | 1,008,079 |
| (h) Operation and Maintenance of Physical Plant | 1,000,930 |
| (i) Scholarships and Fellowships.... | 740,577 |
| (j) Auxiliary Enterprises | 1,075,163 |

SECOND EXTRAORDINARY SESSION
3rd Day

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(k) Equipment Purchases _____ 530,000

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|------------|
| (1) ASETF _____ | 5,691,184 | | |
| (2) Federal Funds _____ | | 1,988,825 | |
| (3) Other Sources _____ | | 3,938,468 | |
| Total Operation & Maintenance ____ | 5,791,184 | 5,927,293 | 11,718,477 |

2. School of Nursing Scholarships:

(a) Scholarships and Fellowships... 18,000

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF _____ | 18,000 | | |
| T o t a l School of Nursing Scholarships _____ | 18,000 | | 18,000 |

(To be expended in accordance with Act 2290, 1971 Regular Session.)

3. School of Primary Medical Care:

| | | | |
|---|--|-----------|--|
| (a) Instruction _____ | | 1,704,937 | |
| (b) Research _____ | | 435,865 | |
| (c) Public Service _____ | | 16,423 | |
| (d) Libraries _____ | | 29,906 | |
| (e) Academic Support (excl. Libr.) | | 550,623 | |
| (f) Student Services _____ | | 60,175 | |
| (g) Institutional Support _____ | | 365,534 | |
| (h) Operation and Maintenance of Physical Plant _____ | | 312,094 | |
| (i) Scholarships and Fellowships... | | 2,800 | |
| (j) Equipment Purchases _____ | | 47,567 | |

SOURCE OF FUNDS:

| | | | |
|--|-----------|---------|-----------|
| (1) ASETF _____ | 2,642,511 | | |
| (2) Federal Funds _____ | | 440,228 | |
| (3) Other Sources _____ | | 443,185 | |
| Total School of Primary Medical Care _____ | 2,642,511 | 883,413 | 3,525,924 |

4. Johnson Environmental & Energy Center:

(a) Research _____ 338,626

| | |
|--|---------|
| (b) Public Service _____ | 201,730 |
| (c) Institutional Support _____ | 23,454 |
| (d) Operation and Maintenance of Physical Plant _____ | 44,007 |
| (e) Equipment Purchases _____ | 27,282 |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF _____ | 269,191 | | |
| (2) State Funds _____ | | 58,911 | |
| (3) Federal Funds _____ | | 305,168 | |
| (4) Other Sources _____ | | 1,829 | |
| Total Center for Environmental and Energy Studies _____ | 269,191 | 365,908 | 635,099 |

5. Ambulatory Care Center:

| | |
|--|---------|
| (a) Instruction _____ | 480,223 |
| (b) Academic Support (excl. Libr.) _____ | 466,201 |
| (c) Institutional Support _____ | 72,918 |
| (d) Operation and Maintenance of Physical Plant _____ | 88,682 |
| (e) Equipment Purchases _____ | 50,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|---------|-----------|
| (1) ASETF _____ | 646,403 | | |
| (2) Other Sources _____ | | 511,621 | |
| Total Ambulatory Care Center _____ | 646,403 | 511,621 | 1,158,024 |

6. School of Nursing:

| | |
|--|---------|
| (a) Instruction _____ | 538,238 |
| (b) Academic Support (excl. Libr.) _____ | 197,272 |
| (c) Institutional Support _____ | 108,347 |
| (d) Operation and Maintenance of Physical Plant _____ | 137,722 |
| (e) Equipment Purchases _____ | 2,700 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF _____ | 792,027 | | |
| (2) Other Sources _____ | | 192,252 | |
| Total School of Nursing _____ | 792,027 | 192,252 | 984,279 |

SECOND EXTRAORDINARY SESSION
3rd Day

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7. Paramedic Training:

| | |
|--|--------|
| (a) Instruction _____ | 7,750 |
| (b) Public Service _____ | 86,000 |
| (c) Institutional Support _____ | 16,730 |
| (d) Operation and Maintenance of Physical Plant _____ | 14,520 |

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF _____ | 125,000 | |
| Total Paramedic Training _____ | 125,000 | 125,000 |

8. Alabama Solar Energy Center:

| | |
|--|--------|
| (a) Research _____ | 36,947 |
| (b) Public Service _____ | 36,947 |
| (c) Institutional Support _____ | 10,226 |
| (d) Operation and Maintenance of Physical Plant _____ | 19,188 |
| (e) Equipment Purchases _____ | 14,349 |

SOURCE OF FUNDS:

| | | |
|---------------------------------|---------|---------|
| (1) ASETF _____ | 117,657 | |
| Total Solar Energy Center _____ | 117,657 | 117,657 |

TOTAL UNIVERSITY OF ALA-
BAMA IN HUNTSVILLE _____

10,401,973 7,880,487 18,282,460

II. Board of Trustees of Alabama
A & M University

A. Alabama A & M University

1. Operation and Maintenance

| | |
|--|-----------|
| (a) Instruction _____ | 5,772,727 |
| (b) Research _____ | 1,124,500 |
| (c) Public Service _____ | 1,680,425 |
| (d) Libraries _____ | 625,400 |
| (e) Academic Support (excl. Libr.) _____ | 671,455 |
| (f) Student Services _____ | 588,550 |
| (g) Institutional Support _____ | 1,840,000 |
| (h) Operation and Maintenance of Physical Plant _____ | 2,291,814 |
| (i) Scholarship and Fellowships _____ | 150,000 |
| (j) Auxiliary Enterprises _____ | 2,900,000 |

| | |
|--------------------------------|---------|
| (k) Equipment Purchases | 241,814 |
| (l) Automotive Equipment | 65,000 |
| (m) Debt Service | 451,000 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|------------|------------|
| (1) ASETF | 8,100,000 | | |
| (2) Federal Funds | | 5,027,000 | |
| (3) Other Sources | | 5,275,685 | |
| Total Operation & Maintenance ... | 8,100,000 | 10,302,685 | 18,402,685 |

| | |
|------------------------------------|---------|
| 2. Vocational Teacher Training ... | 250,000 |
|------------------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--|---------|
| (1) ASETF | 250,000 | | |
| Total Vocational Teacher Trng.--- | 250,000 | | 250,000 |

| | | | |
|---|-----------|------------|------------|
| TOTAL ALABAMA A & M UNIVERSITY | 8,350,000 | 10,302,685 | 18,652,685 |
|---|-----------|------------|------------|

III. Board of Trustees of Alabama
State University

A. Alabama State University

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,215,310 |
| (b) Libraries | 670,860 |
| (c) Academic Support (excl. Libr.) | 511,880 |
| (d) Student Services | 888,340 |
| (e) Institutional Support | 1,259,780 |
| (f) Operation and Maintenance of Physical Plant | 1,337,810 |
| (g) Scholarships and Fellowships .. | 3,807,340 |
| (h) Auxiliary Enterprises | 2,424,780 |
| (i) Research | 93,610 |
| (j) Public Service | 93,820 |
| (k) Debt Service | 920,000 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|------------|------------|
| (1) ASETF | 7,118,175 | | |
| (2) Federal Funds | | 4,271,910 | |
| (3) Other Sources | | 5,833,445 | |
| Total Alabama State University--- | 7,118,175 | 10,105,355 | 17,223,530 |

SECOND EXTRAORDINARY SESSION
3rd Day

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IV. Board of Trustees of Auburn University

A. Auburn University

1. Operation and Maintenance:

| | |
|---|------------|
| (a) Instruction | 30,016,035 |
| (b) Research | 5,987,159 |
| (c) Public Service | 4,036,563 |
| (d) Libraries | 3,581,220 |
| (e) Academic Support (excl. Libr.) | 3,310,474 |
| (f) Student Services | 3,273,554 |
| (g) Institutional Support | 4,651,892 |
| (h) Operation and Maintenance of Physical Plant | 7,476,079 |
| (i) Scholarships and Fellowships.. | 1,400,000 |
| (j) Auxiliary Enterprises | 15,040,000 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|------------|------------|------------|
| (1) ASETF | 34,962,440 | | |
| (2) Federal Funds | | 152,350 | |
| (3) Other Sources | | 43,637,906 | |
| (4) State Funds | | 20,280 | |
| Total Operation and Maintenance.. | 34,962,440 | 43,810,536 | 78,772,976 |

2. School of Nursing:

| | |
|-----------------------|---------|
| (a) Instruction | 500,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|--|---------|
| (1) ASETF | 500,000 | | |
| Total School of Nursing | 500,000 | | 500,000 |

3. Educational Television:

| | |
|-----------------------|---------|
| (a) Instruction | 352,068 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|--|---------|
| (1) ASETF | 352,068 | | |
| Total Educational Television | 352,068 | | 352,068 |

4. Center for Vocational Teacher Educational Training:

| | |
|-----------------------|---------|
| (a) Instruction | 500,000 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 500,000 | |
| Total Center for Vocational Teacher Educational Training | 500,000 | 500,000 |

5. Clinical Psychology:

| | |
|--|---------|
| (a) Instruction | 103,950 |
| (b) Equipment-Other than Auto- motive | 6,050 |

SOURCE OF FUNDS:

| | | |
|---------------------------------|---------|---------|
| (1) ASETF | 110,000 | |
| Total Clinical Psychology | 110,000 | 110,000 |

6. Agricultural Experiment Station
(Including Wildlife):

| | |
|--|------------|
| (a) Research | 14,609,845 |
| (b) Institutional Support | 618,350 |
| (c) Operation and Maintenance of Physical Plant | 286,953 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|------------|
| (1) ASETF | 7,224,277 | | |
| (2) Federal Funds | 5,546,341 | | |
| (3) Other Sources | 2,550,000 | | |
| (4) State Funds | 194,530 | | |
| Total Agricultural Experiment Station | 7,224,277 | 8,290,871 | 15,515,148 |

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station system and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advise of the Director of conservation, so that there may be complete Coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

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7. Engineering Experimental
Station:

(a) Research 812,232

SOURCE OF FUNDS:

(1) ASETF 812,232

| | | |
|---|---------|---------|
| Total Engineering Experimental Station | 812,232 | 812,232 |
|---|---------|---------|

8. Cooperative Extension Service:

(a) Public Service 17,293,319

SOURCE OF FUNDS:

(1) ASETF 7,893,538

(2) Federal Funds 7,872,700

(3) Local Funds 1,527,081

| | | | |
|---|-----------|-----------|------------|
| Total Cooperative Extension Service | 7,893,538 | 9,399,781 | 17,293,319 |
|---|-----------|-----------|------------|

production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service -
Retirement:

(a) Public Service 1,022,840

SOURCE OF FUNDS:

(1) ASETF 1,022,840

(2) Other Sources

| | | |
|--|-----------|-----------|
| Total Cooperative Extension Service- Retirement | 1,022,840 | 1,022,840 |
|--|-----------|-----------|

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn Univer-

sity through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and
Extension:

(a) Public Service _____ 346,841

SOURCE OF FUNDS:

(1) ASETF _____ 346,841

Total Public Service, Research and
Extension _____ 346,841 346,841

11. Energy Research _____ 250,000

SOURCE OF FUNDS:

(1) ASETF _____ 250,000

Total Energy Research _____ 250,000 250,000

TOTAL AUBURN UNIVERSITY... 53,974,236 61,501,188 115,475,424

B. Auburn University at
Montgomery:

1. Operations and Maintenance:

(a) Instruction _____ 4,516,113

(b) Research _____ 87,405

(c) Public Service _____ 1,801,705

(d) Libraries _____ 314,216

(e) Academic Support (excl. Libr.) _____ 245,453

(f) Student Services _____ 345,521

(g) Institutional Support _____ 515,122

(h) Operation and Maintenance of
Physical Plant _____ 1,146,296

(i) Scholarship and Fellowships _____ 293,295

(j) Debt Service _____ 60,314

SOURCE OF FUNDS:

(1) ASETF _____ 5,281,493

(2) Federal Funds _____ 1,621,100

(3) State Funds _____ 45,000

(4) Other Sources _____ 2,377,847

Total Operation and Maintenance 5,281,493 4,043,947 9,325,440

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2. Montgomery Area Community
Health Science Institute:

(a) Public Service 127,769

SOURCE OF FUNDS:

(1) ASETF 127,769

Total Montgomery Area Communi-
ty Health Science Institute 127,769

3. Public Service Research and Ex-
tensions (Centers for Govern-
ment & Public Affairs):

(a) Public Services 158,400

SOURCE OF FUNDS:

(1) ASETF 150,000

(2) Other Sources 8,400

Total Public Service Research and
Exentions (Center for Govern-
ment and Public Affairs 150,000 8,400 158,400

4. School of Nursing:

(a) Instruction 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

Total School of Nursing 250,000

TOTAL AUBURN AT
MONTGOMERY 5,809,262 4,052,347 9,861,609

V. Board of Trustees of Jackson-
ville State University:

A. Jacksonville State University:

1. Operations and Maintenance

(a) Instruction 7,772,548

(b) Public Service 64,172

(c) Libraries 1,061,468

(d) Academic Support (excl. Libr.) 499,736

(e) Student Services 853,172

(f) Institutional Support 370,304

(g) Operation and Maintenance of
Physical Plant 2,310,978

(h) Scholarships and Fellowships .. 315,000

(i) Debt Service _____ 515,000

SOURCE OF FUNDS:

(1) ASETF _____ 10,272,378

(2) State Funds _____ 160,000

(3) Other Sources _____ 3,230,000

Total Operations and Maintenance 10,372,378 3,390,000 13,762,378

2. Gadsden Program:

(a) Instruction _____ 465,622

(b) Public Service _____ 8,000

(c) Libraries _____ 38,000

(d) Academic Support (excl. Libr.) _____ 18,000

(e) Student Services _____ 15,000

(f) Operation and Maintenance of
Physical Plant _____ 50,000

SOURCE OF FUNDS:

(1) ASETF _____ 484,622

(2) Other Sources _____ 110,000

Total Cooperative University Upper
Division (formerly G a d s d e n
Prog.) 484,622 110,000 594,622

3. Nursing Scholarships:

(a) Scholarships and Fellowships .. 18,000

SOURCE OF FUNDS:

(1) ASETF _____ 18,000

Total Nursing Scholarships 18,000 18,000(To be expended in accordance
with Act No. 2288, 1971 Regular
Session.)4. United Cerebral Palsy Develop-
ment Center for East Central
Alabama _____ 100,000

SOURCE OF FUNDS:

(1) ASETF _____ 100,000

Total United Cerebral Palsy De-
velopment Center for East Cen-
tral Alabama 100,000 100,000

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5. For Vocational Teacher Training 100,000

SOURCE OF FUNDS:

| | | |
|---|------------|------------|
| (1) ASETF | 100,000 | |
| Total Vocational Teacher Training | 100,000 | 100,000 |
| TOTAL JACKSONVILLE STATE UNIVERSITY | 11,075,000 | 3,500,000 |
| | | 14,575,000 |

A. Livingston University:

1. Operation and Maintenance:

| | | |
|---|--|-----------|
| (a) Instruction | | 1,634,247 |
| (b) Libraries | | 173,902 |
| (c) Academic Support (excl. Libr.) | | 196,472 |
| (d) Student Services | | 224,790 |
| (e) Institutional Support | | 630,208 |
| (f) Operation and Maintenance of Physical Plant | | 891,821 |
| (g) Scholarships and Fellowships.... | | 25,646 |
| (h) Auxiliary Enterprises | | 1,078,000 |
| (i) For Federal Programs | | 189,800 |

SOURCE OF FUNDS:

| | | |
|-----------------------------------|-----------|-----------|
| (1) ASETF | 3,211,782 | |
| (2) Federal Funds | | 189,800 |
| (3) Local Funds | | 1,643,304 |
| Total Operation and Maintenance.. | 3,211,782 | 1,833,104 |
| | | 5,044,886 |

2. Nursing Scholarships:

| | |
|----------------------------------|--------|
| (a) Scholarships and Fellowships | 18,000 |
|----------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|-----------|-----------|
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |
| TOTAL LIVINGSTON UNIVERSITY | 3,229,782 | 1,833,104 |
| | | 5,062,886 |

VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

| | |
|-----------------------|-----------|
| (a) Instruction | 2,999,975 |
|-----------------------|-----------|

| | |
|--|-----------|
| (b) Research | 50,000 |
| (c) Public Service | 89,456 |
| (d) Libraries | 249,691 |
| (e) Academic Support | 372,312 |
| (f) Student Services | 392,952 |
| (g) Institutional Support | 807,390 |
| (h) Operation and Maintenance of Physical Plant | 1,546,618 |
| (i) Scholarships and Fellowships .. | 77,070 |
| (j) Hospitals | 306,080 |
| (k) Auxiliary Enterprises | 1,966,651 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|------------------|------------------|------------------|
| (1) ASETF | 4,975,198 | | |
| (2) State Funds | | 85,000 | |
| (3) Federal Funds | | 323,959 | |
| (4) Other Sources | | 3,474,038 | |
| Total Operations and Maintenance | <u>4,975,198</u> | <u>3,882,997</u> | <u>8,858,195</u> |

2. School for Aphasic Children:

| | |
|-----------------------|---------|
| (a) Instruction | 276,072 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|----------------|---------------|----------------|
| (1) ASETF | 199,464 | | |
| (2) Federal Funds | | 3,000 | |
| (3) Other Sources | | 73,608 | |
| Total School for Aphasic Children.. | <u>199,464</u> | <u>76,608</u> | <u>276,072</u> |

3. Highway Safety Program:

| | |
|-----------------------|---------|
| (a) Instruction | 127,788 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|----------------|--------------|----------------|
| (1) ASETF | 125,714 | | |
| (2) Other Sources | | 2,074 | |
| Total Highway Safety Program | <u>125,714</u> | <u>2,074</u> | <u>127,788</u> |

4. Communications Center:

| | |
|--------------------------|--------|
| (a) Public Service | 18,178 |
|--------------------------|--------|

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SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------------|---------------|
| (1) ASETF | 18,178 | |
| Total Communications Center | <u>18,178</u> | <u>18,178</u> |

| | |
|------------------------------------|--------|
| 5. For Vocational Teacher Training | 50,000 |
|------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---|------------------|--------------------------------------|
| (1) ASETF | 50,000 | |
| Total Vocational Teacher Training | <u>50,000</u> | <u>50,000</u> |
| TOTAL UNIVERSITY OF MONTEVALLO | <u>5,368,554</u> | <u>3,961,679</u> <u>9,330,233</u> |

VIII. Board of Trustees of University of North Alabama:

A. University of North Alabama:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,219,942 |
| (b) Research | 106,350 |
| (c) Public Service | 51,130 |
| (d) Libraries | 487,000 |
| (e) Academic Support (excl. Libr.) | 629,000 |
| (f) Student Services | 835,660 |
| (g) Institutional Support | 1,147,000 |
| (h) Operation and Maintenance of Physical Plant | 1,636,200 |
| (i) Scholarships and Fellowships... | 60,439 |
| (j) Debt Service | 170,700 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|------------------|---------------------------------------|
| (1) ASETF | 7,000,000 | |
| (2) Federal Funds | 284,680 | |
| (3) Local Funds | 85,000 | |
| (4) Other Sources | 2,973,741 | |
| Total Operation and Maintenance .. | <u>7,000,000</u> | <u>3,343,421</u> <u>10,343,421</u> |

2. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 2,544,321 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|------------------|------------------|
| (1) Other Sources | 2,544,321 | |
| Total Auxiliary Enterprises | <u>2,544,321</u> | <u>2,544,321</u> |

3. Nursing School Scholarships:

| | | |
|-------------------------------------|--|--------|
| (a) Scholarships and Fellowships .. | | 18,000 |
|-------------------------------------|--|--------|

SOURCE OF FUNDS:

| | | |
|---|---------------|---------------|
| (1) ASETF | 18,000 | |
| Total Nursing School Scholarships | <u>18,000</u> | <u>18,000</u> |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

| | | | |
|--|------------------|------------------|-------------------|
| TOTAL UNIVERSITY OF NORTH ALABAMA | <u>7,018,000</u> | <u>5,887,742</u> | <u>12,905,742</u> |
|--|------------------|------------------|-------------------|

IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 8,120,663 |
| (b) Research | 175,488 |
| (c) Public Service | 49,267 |
| (d) Libraries | 416,050 |
| (e) Academic Support (excl. Libr.) | 458,281 |
| (f) Student Services | 1,272,356 |
| (g) Institutional Support | 1,216,059 |
| (h) Operations and Maintenance of Physical Plant | 2,137,653 |
| (i) Scholarships and Fellowships .. | 275,181 |
| (j) Debt Service | 1,499,333 |
| (k) Capital Outlay | 113,283 |
| (l) Equipment-Other than Auto- motive | 508,199 |
| (m) Automotive Equipment | 19,110 |
| (n) Transfers | 190,000 |

SOURCE OF FUNDS:

| | | |
|-----------------------|-----------|----------------|
| (1) ASETF | 9,852,713 | |
| (2) State Funds | | 123,353 |

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| | | | |
|--|-----------|-----------|------------|
| (3) Federal Funds | 481,400 | | |
| (4) Other Sources | 5,993,457 | | |
| Total Operations and Maintenance | 9,852,713 | 6,598,210 | 16,450,923 |
| <hr/> | | | |
| 2. Statewide Medical Education: | | | |
| (a) Instruction | | | 187,824 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 187,824 | | |
| Total Statewide Medical Education | 187,824 | | 187,824 |
| <hr/> | | | |
| 3. Ambulatory Care: | | | |
| (a) Academic Support (excl. Libr.) | | | 99,304 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 99,304 | | |
| Total Ambulatory Care | 99,304 | | 99,304 |
| <hr/> | | | |
| 4. Family Practice Residency Program: | | | |
| (a) Instruction | | | 423,316 |
| (b) Operations and Maintenance of Physical Plant | | | 4,880 |
| (c) Equipment-Other than Automotive | | | 54,804 |
| (d) Transfers | | | 94,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 577,000 | | |
| Total Family Practice Residency Programs | 577,000 | | 577,000 |
| <hr/> | | | |
| The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan. | | | |
| 5. College of Medicine: | | | |
| (a) Instruction | | | 6,470,483 |
| (b) Research | | | 1,123,449 |

| | |
|---|-----------|
| (c) Public Service | 24,707 |
| (d) Libraries | 408,000 |
| (e) Academic Support | 386,817 |
| (f) Student Services | 125,262 |
| (g) Institutional Support | 869,353 |
| (h) Operations and Maintenance of Physical Plant | 35,811 |
| (i) Scholarships and Fellowships | 35,811 |
| (j) Capital Outlay | 192,695 |
| (k) Equipment-Other than Auto- motive | 192,695 |
| (l) Transfers | 1,791,434 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 8,459,329 | | |
| (2) Federal Funds | | 1,262,506 | |
| (3) Other Sources | | 3,127,052 | |
| Total College of Medicine | 8,459,329 | 4,389,558 | 12,848,887 |

6. University Medical Center:

(Includes University Hospital
and Clinic)

| | |
|--------------------------|------------|
| (a) Medical Center | 25,971,366 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|------------|------------|
| (1) ASETF | 1,677,427 | | |
| (2) Other Sources | | 24,293,939 | |
| Total University Medical Center..... | 1,677,427 | 24,293,939 | 25,971,366 |

7. Newborn Growth and Develop-
ment Program (formerly Infant
and Maternal Care):

| | |
|-----------------------|--------|
| (a) Instruction | 79,097 |
|-----------------------|--------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|--------|--|--------|
| (1) ASETF | 79,097 | | |
| Total Infant and Maternal Care..... | 79,097 | | 79,097 |

8. End Stage Renal Disease:

| | |
|-----------------------|--------|
| (a) Instruction | 25,000 |
|-----------------------|--------|

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SOURCE OF FUNDS:

| | | | |
|-------------------------------------|---------------|--|---------------|
| (1) ASETF | 25,000 | | |
| Total End Stage Rental Disease | <u>25,000</u> | | <u>25,000</u> |

9. Division of Allied Health:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 456,770 |
| (b) Institutional Support | | | 74,384 |
| (c) Equipment-Other than Auto- motive | | | 57,000 |
| (d) Transfers | | | 96,145 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|----------------|---------------|----------------|
| (1) ASETF | 586,432 | | |
| (2) Other Sources | | 97,867 | |
| Total Division of Allied Health | <u>586,432</u> | <u>97,867</u> | <u>684,299</u> |

10. School of Nursing:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 500,706 |
| (b) Institutional Support | | | 15,000 |
| (c) Equipment-Other than Auto- motive | | | 30,000 |
| (d) Transfers | | | 99,942 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|----------------|----------------|----------------|
| (1) ASETF | 468,864 | | |
| (2) Federal Funds | | 25,500 | |
| (3) Other Sources | | 151,284 | |
| Total School of Nursing | <u>468,864</u> | <u>176,784</u> | <u>645,648</u> |

11. Nursing Scholarships:

| | | | |
|------------------------------------|--|--|--------|
| (a) Scholarships and Fellowships.. | | | 22,539 |
|------------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|---------------|--------------|---------------|
| (1) ASETF | 18,000 | | |
| (2) Other Sources | | 4,539 | |
| Total Nursing Scholarships | <u>18,000</u> | <u>4,539</u> | <u>22,539</u> |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

12. Research and Public Service
Extension:

| | |
|--|--------|
| (a) Research | 40,000 |
| (b) Public Service | 51,398 |
| (c) Equipment-Other than Auto- motive | 10,000 |

SOURCE OF FUNDS:

| | | | |
|--|--------|--------|---------|
| (1) ASETF | 91,389 | | |
| (2) Other Sources | | 10,000 | |
| Total Research and Public Service Extension | 91,398 | 10,000 | 101,398 |

13. Reproduction Health Sciences
Center:

| | |
|--|--------|
| (a) Instruction | 25,000 |
| (b) Equipment-Other than Auto- motive | 25,000 |

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Reproductive Health Sciences Center | 50,000 | | 50,000 |

14. Paramedic Training Program:

| | |
|---|---------|
| (a) For Operations and Mainte- nance | 125,000 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Paramedic Training Program | 125,000 | | 125,000 |

15. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 4,549,481 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) Other Sources | 4,549,481 | | |
| Total Auxiliary Enterprises | 4,549,481 | | 4,549,481 |
| TOTAL UNIVERSITY OF SOUTH ALABAMA | 22,297,388 | 40,120,378 | 62,417,766 |

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on

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their behalf or for others are hereby prohibited from applying or taking into account any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 4,176,400 |
| (b) Research | 32,800 |
| (c) Libraries | 377,900 |
| (d) Academic Support (excl. Libr.) | 259,800 |
| (e) Student Services | 831,200 |
| (f) Institutional Support | 1,090,300 |
| (g) Operation and Maintenance of Physical Plant | 1,300,000 |
| (h) Scholarships and Fellowships.. | 360,000 |
| (i) Public Service | 221,800 |
| (j) Auxiliary Enterprises | 3,265,318 |
| (k) Capital Outlay | 365,000 |
| (l) Debt Services | 245,000 |
| (m) Transfer to Plant Fund | 100,000 |
| (n) For Vocational T e a c h e r Training | 100,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,508,599 | | |
| (2) Federal Funds | | 500,000 | |
| (3) Other Sources | | 5,716,919 | |
| Total Operations and Maintenance | 6,508,599 | 6,216,919 | 12,725,518 |

2. Operation and Maintenance at Ft. Rucker/Dothan:

| | |
|---|-----------|
| (a) Instruction | 1,137,700 |
| (b) Libraries | 114,900 |
| (c) Academic Support (excl. Libr.) | 154,700 |
| (d) Student Services | 131,200 |
| (e) Institutional Support | 172,500 |
| (f) Operation and Maintenance of Physical Plant | 116,626 |
| (g) Scholarships and Fellowships.. | 20,000 |

| | |
|----------------------------------|---------|
| (h) Aupxiliary Enterprises | 145,000 |
| (i) Capital Outlay | 115,000 |
| (j) Debt Service | 80,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|-----------|-----------|
| (1) ASETF | 870,000 | | |
| (2) Other Sources | | 1,317,626 | |
| Total Operations and Maintenance at Ft. Rucker/Dothan | 870,000 | 1,317,626 | 2,187,626 |

3. Operations and Maintenance in
Montgomery:

| | |
|--|-----------|
| (a) Instruction | 1,271,300 |
| (b) Public Service | 66,500 |
| (c) Libraries | 15,000 |
| (d) Academic Support (excl. Libr.) | 145,000 |
| (e) Student Services | 235,000 |
| (f) Institutional Support | 495,000 |
| (g) Scholarships and Fellowships | 5,000 |
| (h) Auxiliary Enterprises | 220,000 |
| (i) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 222,800 | | |
| (2) Other Sources | | 2,280,000 | |
| Total Operations and Maintenance in Montgomery | 222,800 | 2,280,000 | 2,502,800 |

4. Nursing Scholarships:

| | |
|--|--------|
| (a) Scholarships and Fellowships | 36,000 |
|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 36,000 | | |
| Total Nursing Scholarships | 36,000 | | 36,000 |

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

| | |
|-----------------------|--------|
| (a) Instruction | 50,000 |
|-----------------------|--------|

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SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 50,000 | |
| Total Operation and Maintenance at Bay Minette's Branch | 50,000 | 50,000 |

| | | |
|--|--|---------|
| 6. Operation and Maintenance of BSN Program in Montgomery | | 250,000 |
|--|--|---------|

SOURCE OF FUNDS:

| | | |
|---------------------------------------|-----------|------------|
| (1) ASETF | 250,000 | |
| Total Nursing School-Montgomery | 250,000 | 250,000 |
| TOTAL TROY STATE UNIVERSITY | 7,937,399 | 9,814,545 |
| | | 17,751,944 |

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:

A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instructions | 1,710,440 |
| (b) Libraries | 72,368 |
| (c) Student Services | 379,151 |
| (d) Institutional Support | 149,190 |
| (e) Operation and Maintenance of Physical Plant | 1,337,543 |
| (f) Scholarships and Fellowships | 1,800 |
| (g) Infirmary Speech and Hearing | 133,233 |
| (h) Auxiliary Enterprises | 2,179,651 |

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 3,696,500 | |
| (2) Federal Funds | | 2,266,876 |
| Total Alabama Institute for Deaf and Blind | 3,696,500 | 2,266,876 |
| | | 5,963,376 |

B. Department of Adult Blind and
Deaf:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,105,085 |
| (b) Libraries | 77,133 |
| (c) Academic Support (excl. Libr.) | 32,441 |

| | |
|--|-----------|
| (d) Student Services | 805,927 |
| (e) Institutional Support | 259,251 |
| (f) Operation and Maintenance of Physical Plant | 312,833 |
| (g) Auxiliary Enterprises | 5,896,247 |
| (h) Equipment-Other than Auto- motive | 63,466 |
| (i) Automotive Equipment | 12,501 |

SOURCE OF FUNDS:

| | | | |
|--|------------------|------------------|-------------------|
| (1) ASETF | 1,518,500 | | |
| (2) Federal Funds | | 2,017,349 | |
| (3) Other Sources | | 5,029,035 | |
| Total Alabama Institute for Deaf and Blind | 1,518,500 | 7,046,384 | 8,564,884 |
| GRAND TOTAL ALABAMA IN- STITUTE FOR D E A F AND BLIND | 5,215,000 | 9,313,260 | 14,528,260 |

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance. Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding Rank "AA" or equivalent certificates not less than one thousand two hundred ten dollars (\$1,210) per annum; Rank I or its equivalent teachers not less than one thousand ninety five dollars (\$1,095) per annum; Rank II or its equivalent teachers not less than nine hundred eighty dollars (\$980) per annum; Rank III or its equivalent teachers not less than eight hundred sixty five dollars (\$865) per annum; Rank IV or its equivalent teachers not less than seven hundred fifty (\$750) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase." In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined

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as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,256,227 |
| (b) Instructional Support | 105,072 |
| (c) Administrative Support | 442,221 |
| (d) Student Services | 144,347 |
| (e) Operation and Maintenance of Physical Plant | 362,141 |
| (f) Auxiliary Enterprises | 323,122 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF | 1,500,000 | | |
| (2) Federal Funds | | 122,250 | |
| (3) Other Sources | | 1,010,880 | |
| TOTAL ATHENS STATE COL- LEGE | 1,500,000 | 1,133,130 | 2,633,130 |

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance .. 125,000

2. Gadsden State Junior College:

For Operations and Maintenance .. 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community College—Technical Branch—Dothan:

For a nursing school 200,000

2. George Corley Wallace State Community College (Selma):

For Operations and Maintenance at the facility formerly Craig AFB .. 116,300

3. George Corley Wallace State
Community College—Technical
Branch (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB .. 324,000

4. Alabama Academy of Honor 3,500

Section 7A. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000.00) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

Section 8.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 9. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 10. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income

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therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation

Section 11. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 12. This Act shall become effective on October 1, 1978.

MOTION TO TABLE LOST

The motion offered by Mr. Johnson to table the substitute offered by Mr. Dial to the bill, H. 37, was lost.

Yeas 34; Nays 56.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Buskey, Coburn, Cross, Glass, Greer, Hall, Hilliard, Holley, Holmes (A), Hopping, Johnson, Johnstone, Jolly, Langford, Lee, McCluskey, McNair, Morris, Plaster, Quarles, Reed, Riddick, Shelton, Shoemaker, Smith (J), Starkey, Thomas, Trammell, Whatley and Wyatt.

—34

Nays:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Crowe, Drake, Falkenburg, Gafford, Goodwin, Gregg, Harris, Harrison, Holmes (D), Jackson (F), Jackson (R), Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Ray, Roberts, Robertson, Sandusky, Sasser, Smith (B), Smith (C), Smith (M), Sonnier, Sparks, Towns, Turnham, Venable, Waggoner, Warren, White, Williams and Younce.

—56

SUBSTITUTE ADOPTED

The question was then on the substitute offered by Mr. Dial to the bill, H. 37 as amended, and the substitute was adopted.

Yeas 85; Nays 12.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Greer, Gregg, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Jackson (F), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris,

Naramore, Owens, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—85

Nays:

Messrs.: Andrews, Coburn, Goodwin, Hall, Hopping, Howard, Jackson (R), Johnson, Martin, Riddick, Thomas and Trammell.

—12

AMENDMENT OFFERED

Mr. Holley offered the following amendment No. 3 to the bill, H. 37 as amended:

Amend House Bill 37, Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools":

"Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not affiliated with a public statewide employee organization which complies with Alabama statutes."

MOTION TO TABLE LOST

The motion offered by Mr. Dial to table the amendment No. 3 offered by Mr. Holley to the bill, H. 37 as amended, was lost.

Yeas 40; Nays 50.

Yeas:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carter, Crawford, Dial, Falkenburg, Gafford, Harris, Jackson (F), Jackson (R), Kelley, Lee, Lutz, McCluskey, McCulley, Manley, Merrill, Mitchem, Moore (W), Owens, Pegues, Quarles, Ray, Roberts, Sasser, Shoemaker, Smith (B), Smith (M), Sonnier, Turnham, Venable, Waggoner, Ward, Whatley, White, Williams and Younce.

—40

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Clark, Coburn, Cross, Crowe, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, McMillan, McNees, Martin, Morris, Naramore, Plaster, Reed, Riddick, Shelton, Smith (J), Sparks, Starkey, Thomas, Towns, Trammell, Warren, Weeks and Wyatt.

—50

AMENDMENT ADOPTED

The question was then on the adoption of the amendment No. 3 offered by Mr. Holley to the bill, H. 37 as amended, and the amendment was adopted.

Yeas 61; Nays 29.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McMillan, McNees, Martin, Merrill, Moore (O), Morris, Naramore, Owens, Plaster, Ray, Reed, Riddick, Robertson, Shelton, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Venable, Ward, Warren, Weeks and Whatley.

—61

Nays:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carter, Crawford, Dial, Falkenburg, Gafford, Harris, Jackson (F), Jackson (R), Kelley, Lutz, McCluskey, Manley, Mitchem, Moore (W), Pegues, Quarles, Roberts, Sasser, Shoemaker, Smith (M), Turnham, Waggoner, Williams and Younce.

—29

MOTION TO RECOMMIT TABLED

On motion of Mr. Johnson, the motion offered by Mr. Cates to recommit the bill, H. 37 as amended, to the Standing Committee on Ways and Means, was tabled.

Yeas 68; Nays 18.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Buskey, Callahan, Carter, Clark, Cooper, Crawford, Cross, Dial, Drake, Falkenburg, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kennedy, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, McNees, Merrill, Mitchem, Morris, Naramore, Plaster, Quarles, Ray, Reed, Riddick, Shelton, Shoemaker, Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Venable, Waggoner, Ward, Whatley, White, Williams, Wyatt and Younce.

—68

Nays:

Mr. Speaker, Biddle, Cates, Harris, Kelley, Killian, Lutz, Martin, Moore (W), Owens, Roberts, Sasser, Smith (B), Smith (C), Sonnier, Turnham, Warren and Weeks.

—18

AMENDMENT OFFERED

Mr. Hill offered the following amendment No. 4 to the bill, H. 37 as amended:

To amend House Bill 37, Section 4, Subsection 2, page 39, lines 5 through 9 and Subsection 10, page 41, lines 5 through 9 by deleting both subsections and inserting the following under Section 3 page 3 line 7:

1. Council on the Arts and Humanities

(A) Fine Arts Program

SOURCE OF FUNDS:

| | | | |
|-----------------------------|---------|---------|--|
| (1) ASETF | 300,000 | | |
| (2) Federal and Local | | 614,098 | |

(B) Birmingham Symphony

SOURCE OF FUNDS:

| | | | |
|-----------------|--------|--|--|
| (1) ASETF | 95,000 | | |
|-----------------|--------|--|--|

(C) Alabama Shakespeare Festival

SOURCE OF FUNDS:

| | | | |
|-----------------|-------|--|--|
| (1) ASETF | 2,500 | | |
|-----------------|-------|--|--|

| | | | |
|--|---------|---------|-----------|
| Total Council on the Arts and Humanities | 397,500 | 614,098 | 1,011,598 |
|--|---------|---------|-----------|

AMENDMENT TABLED

On motion of Mr. Drake, the amendment No. 4 offered by Mr. Hill to the bill, H. 37 as amended, was tabled.

Yeas 47; Nays 30.

Yeas:

Mr. Speaker, Andrews, Baker, Biddle, Callahan, Campbell, Cates, Clark, Cooper, Crawford, Dial, Drake, Falkenburg, Gafford, Holmes (A), Hopping, Jackson (F), Jolly, Kelley, Langford, Lee, McCluskey, McNair, Merrill, Moore (O), Naramore, Plaster, Quarles, Ray, Roberts, Robertson, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Weeks, White, Williams, Wyatt and Younce.

—47

Nays:

Messrs.: Albright, Armstrong, Buskey, Carothers, Carter, Coburn, Cross, Glass, Greer, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Jackson (R), Kennedy, Killian, Leonard, Lockett, McMillan, Martin, Mitchem, Reed, Shelton, Smith (J), Starkey, Thomas and Whatley.

—30

AMENDMENT OFFERED

Mr. Morris offered the following amendment No. 2 to the bill, H. 37 as amended:

Amend H. B. 37 line 11 by adding the following:

"In the event a teacher or employee of the Board of Education retires, the teacher or employee may be able to continue to obtain insurance coverage under the school board group plan so long as the teacher or employee makes full premium payments on said coverage.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—89

Nay: Mr. Smith (B).

—1

AMENDMENT OFFERED

Mr. Smith (C) offered the following amendment No. 2 to the bill, H. 37 as amended:

Amend H. B. 37 as follows:

On page 71, Section 5, on line 14, by striking out the number 2,999,975 and inserting in lieu thereof the number 3,399,975; amend further on line 27 by striking the number 4,975,198 and insert in lieu thereof the number 5,375,198; further amend page 71 on line 31 by striking the number 4,975,198 and inserting in lieu thereof the number 5,375,198 and, further amend line 31 by striking the number 8,858,195 and inserting in lieu thereof the number 9,258,195.

Further amend H. B. 37 on page 72 line 27 by striking the number 5,368,554 and inserting in lieu thereof the number 5,768,554; also amend line 27 by striking the number 9,330,233 and inserting in lieu thereof the number 9,730,233.

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment No. 2 offered by Mr. Smith (C) to the bill, H. 37 as amended, was tabled.

Yeas 56; Nays 27.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Buskey, Campbell, Carter, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Falkenburg, Gafford, Gregg, Harris, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Johnson, Kennedy, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McMillan, McNair, Merrill, Naramore, Pegues, Plaster, Ray, Roberts, Robertson, Sasser, Shelton, Smith (B), Smith (M), Sonnier, Thomas, Towns, Trammell, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—56

Nays:

Messrs.: Albright, Callahan, Carothers, Drake, Greer, Holley, Holmes (A), Jackson (R), Johnstone, Jolly, Leonard, McNees, Mitchem, Moore (O), Moore (W), Morris, Owens, Quarles, Reed, Riddick, Shoemaker, Smith (C), Smith (J), Starkey, Turnham, Venable and Waggoner.

—27

AMENDMENT OFFERED

Mr. Johnson offered the following amendment No. 2 to the bill, H. 37 as amended:

Amend House Bill 32, Page 35, Line 19, by inserting the following language:

"The State Board of Education in providing equity salary adjustments as required in Act 637, Regular Session 1977, for instructors, librarians, and counselors employed as of September 1, 1978 in all technical colleges shall place all such personnel who have been employed at a technical college for at least ten (10) years at Rank IV, Step 10, of the Salary Schedule For Instructors, Librarians, and Counselors at State Community, Junior, and Technical Colleges. Those employed for at least seven (7) years but less than ten (10) years shall be placed no lower than Rank III, Step 10 of the schedule; and those employed for at least four (4) years but less than seven (7) years shall be placed no lower than Rank II, Step 10, of the schedule. All credit on the salary schedule granted a teacher at the time of employment shall be used in determining placement on the salary schedule as required hereinabove."

AMENDMENT TABLED

On motion of Mr. Turnham, the amendment No. 2 offered by Mr. Johnson was tabled.

Yeas 48; Nays 35.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Campbell, Carothers, Carter, Clark, Cooper, Crowe, Dial, Falkenburg, Glass, Gregg, Harris, Harrison, Holmes (D), Jackson (F), Jackson (R), Johnstone, Kelley, Killian, Kinsey, Lee, Leonard, Lutz, McMillan, Manley, Mitchem, Moore (O), Moore (W), Pegues, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Towns, Turnham, Waggoner, Ward, Whatley, White, Williams and Younce.

—48

Nays:

Messrs.: Albright, Andrews, Buskey, Cates, Coburn, Crawford, Cross, Drake, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Johnson, Jolly, Langford, Lockett, McCluskey, McNees, Martin, Merrill, Morris, Naramore, Owens, Plaster, Ray, Shelton, Thomas, Trammell, Weeks and Wyatt.

—35

RULES SUSPENDED FOR PASSAGE

On motion of Mr. Merrill, the rules were suspended and the bill, H. 37 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 6.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper,

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Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—93

Nays:

Messrs.: Coburn, Kelley, Manley, Riddick, Smith (B) and Sonnier.

—6

And the bill:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

Was taken up.

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the bill, H. 10:

In Section 1, page 2, between lines 8 and 9, add the following sentence:

The Board of Corrections shall provide at least 90 days prior written notice to the county governing body of any county in which a new correctional site is being proposed or planned.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

AMENDMENT OFFERED

Mr. Barron offered the following amendment to the bill, H. 10 as amended:

Amend House Bill 10 by deleting in its entirety the following sentence in Section 1, Page 2, on lines 9 to 12:

"None of the proceeds from the sale of said bonds may be used to pay rents for the use of real or personal property or to make payments under any lease with option to purchase or similar contractual arrangements."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—84

And the bill, H. 10 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 2

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—91

Nays: Messrs. Harrison and Holley.

—2

And the bill:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabili-

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tation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

Was taken up.

AMENDMENT OFFERED

Mr. Barron offered the following amendment to the bill, H. 9:

Amend H. B. 9, by deleting the last sentence of Section 8, on lines 10 to 13 on page 8.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Ward, Warren, Weeks, White, Williams, Wyatt and Younce.

—82

AMENDMENT OFFERED

Mr. Crowe offered the following amendment to the bill, H. 9 as amended:

In the title, page 2, line 10, delete the period and insert the following words and phrases:

, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

In Section 9, page 8, line 21, insert the following additional sentence:

It is further provided that no building or part of a building shall be constructed on a new correctional site with the proceeds of the bonds hereby authorized unless at least 90 days prior written notice is given to the county governing body by the Board of Corrections that any such new correctional site is being proposed or considered in the county.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNeas, Manley, Martin, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, White, Williams, Wyatt and Younce.

—81

AMENDMENT OFFERED

Mr. Venable offered the following amendment No. 1 to the bill, H. 9 as amended:

Amend H. B. 9 by adding a new Section 10 and renumbering the remaining sections accordingly:

Section 10. The Board of Corrections shall not construct prison housing facilities with funds provided for in this or any other bond issue in any county where the ratio of state prisoners to the general population shall exceed one prisoner to each one-thousand residents unless such construction shall be approved in a county-wide referendum.

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment No. 1 offered by Mr. Venable to the bill, H. 9 as amended, was tabled.

Yeas 70; Nays 6.

Yeas:

Messrs.: Andrews, Armstrong, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kennedy, Kinsey, Langford, Leonard, Lutz, McCluskey, McCulley, McNeas, Manley, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Quarles, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Waggoner, Warren, White, Williams, Wyatt and Younce.

—70

Nays: Messrs.: Hines, McMillan, McNair, Morris, Venable and Whatley.

—6

AMENDMENT OFFERED

Mr. Venable offered the following amendment No. 2 to the bill, H. 9 as amended:

3rd Day

Amend House Bill 9 by adding a new Section 10 and renumbering the remaining sections accordingly:

"Section 10. The Board of Corrections shall not construct prison housing facilities with funds provided for in this or any other bond issue in any county where the ratio of state prisoners to the general population shall exceed one prisoner to each five hundred (500) residents unless such construction shall be approved in a county-wide referendum."

AMENDMENT TABLED

On motion of Mr. Cooper, the amendment No. 2 offered by Mr. Venable to the bill, H. 9 as amended, was tabled.

Yeas 71; Nays 11.

Yeas:

Messrs.: Andrews, Armstrong, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Kennedy, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Waggoner, White, Williams, Wyatt and Younce.

—71

Nays:

Messrs.: Crowe, Hines, Holley, Jolly, McMillan, Morris, Naramore, Reed, Venable, Warren and Whatley.

—11

And the bill:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as _____ Bill No. _____ introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 4.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—86

Nays: Messrs.: Crowe, Harrison, Holley and Reed.

—4

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Hill to suspend the rules in order to take up out of order the bill, H. 105, was lost.

Yeas 19; Nays 37.

Yeas:

Messrs.: Carter, Goodwin, Greer, Hall, Hill, Holley, Johnstone, McCluskey, McCulley, Martin, Quarles, Reed, Roberts, Sandusky, Sonnier, Starkey, Warren, Williams and Wyatt.

—19

Nays:

Mr. Speaker, Andrews, Callahan, Cates, Crawford, Falkenburg, Gafford, Glass, Harris, Holmes (D), Hopping, Jackson (F), Jolly, Kelley, Killian, Langford, Leonard, Lockett, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Plaster, Ray, Riddick, Robertson, Smith (J), Smith (M), Towns, Turnham, Venable, Weeks, Whatley and Younce.

—37

MOTION TO TEMPORARILY POSTPONE H. 33 ADOPTED

On motion of Mr. Merrill, the bill, H. 33, was temporarily postponed in order to take up the bill, H. 146.

Yeas 63; Nays 8.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Callahan, Campbell, Carter, Cates, Clark, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hill, Holmes (D), Hopping, Jackson (F), Jolly, Kelley, Kennedy, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Manley, Martin, Merrill, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Shoemaker, Smith (C), Smith (J), Sonnier, Sparks,

Starkey, Trammell, Venable, Waggoner, Ward, Warren, Weeks, White, Williams and Younce.

—63

Nays:

Messrs.: Barron, Buskey, Hall, Holley, Morris, Smith (M), Turnham and Wyatt.

RECESS

Pursuant to the resolution, H. R. 39, heretofore adopted, and the hour of 6:00 o'clock p.m. having arrived, the House recessed until 7:30 o'clock p.m.

HOUSE RECONVENED

The hour of 7:30 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING RESUMED

And the bill:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to make an appropriation funding the program from the Special Education Trust Fund; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Was taken up.

AMENDMENT OFFERED

Mr. Callahan offered the following amendment to the bill, H. 146:

In the title, page 1, lines 35 and 36, delete the words and phrases, "to make an appropriation funding the program from the Special Educational Trust Fund."

Delete entirely Section 11, page 10, lines 7-14, and renumber the remaining sections accordingly.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Callahan, Campbell, Carothers, Carter, Coburn, Crawford, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Harrison, Hill, Hilliard, Hopping, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Killian, Leonard, Lockett, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Robertson, Sandusky, Sasser, Smith (B), Smith (M), Sonnier, Sparks, Thomas, Towns, Trammell, Venable, Waggoner, Weeks, Williams and Younce.

—55

And the bill:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 24.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Campbell, Carothers, Carter, Cates, Cooper, Crawford, Drake, Edwards, Falkenburg, Gafford, Glass, Gregg, Hilliard, Hopping, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Leonard, Lockett, McNair, McNees, Manley, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Smith (C), Smith (J), Sonnier, Sparks, Thomas, Trammell, Turnham, Venable, Waggoner, Warren, White, Wyatt and Younce.

—57

Nays:

Messrs.: Albright, Barron, Buskey, Coburn, Cross, Dial, Goodwin, Greer, Hall, Harrison, Hill, Holley, Holmes (D), Jolly, Langford, Martin, Merrill, Riddick, Shelton, Smith (B), Smith (M), Weeks, Whatley and Williams.

—24

PERMISSION GRANTED

Permission was granted for the Journal to show Mrs. Quarles added as co-sponsor to the bill, H. 146.

And the bill:

H. 179. To conditionally appropriate the sum of five million dollars from the General Fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Was taken up.

SUBSTITUTE OFFERED

Mr. Manley offered the following substitute to the bill, H. 179:

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of five million dollars (\$5,000,000), or so much thereof as may become available as herein provided, is hereby conditionally appropriated from the general fund of the State Treasury, for the fiscal year beginning October 1, 1978, to the use of the Department of Pensions and Security. The appropriation herein made is conditional upon the condition of the general fund of the State Treasury, as ascertained by the Governor, and shall be released only upon orders of the Governor.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, except as otherwise herein provided, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 87; Nays 1.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, McCulley, McNair, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—87

Nay: Mr. Holley.

—1

And the bill:

H. 179. To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—85

Nay: Mr. Gregg.

PERMISSION GRANTED

Permission was granted for the Journal to show Mrs. Quarles added as co-sponsor to the bill H. 179.

RESOLUTION

The following resolution was introduced:

By Mr. Dial:

H. J. R. 50. HONORING MR. WILLIAM H. G. "BILL" FRANCE, FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

WHEREAS, the August 6th Talladega 500 marks the 10th anniversary of what has become known worldwide as the fastest, most competitive, most accessible motorsports facility in the world; and

WHEREAS, Alabama International Motor Speedway stands as a monument to its founder, William H. G. "Bill" France, and to the Honorable Alabama Governor George C. Wallace, who had the foresight to envision, like Mr. France, the potential this motorsports facility had in attracting new visitors to the great State of Alabama; and

WHEREAS, It was 10 years ago this August that Bill France saw the 2.66-mile speedway in Talladega County host its first competition and both Mr. France and Governor Wallace remarked on that day that the name of Talladega, Alabama, would be known within a short period of years all over the world; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body most highly commends Mr. William H. G. France, founder, on the remarkable unparalleled success of the Alabama International Motor Speedway at Talladega, Alabama.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Bill France on the occasion of the 10th anniversary of this great speedway as but a token of our appreciation for his primary role in bringing worldwide fame to the State of Alabama through the establishment of the Alabama International Motor Speedway.

On motion of Mr. Dial, the rules were suspended and the resolution, H. J. R. 50, was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors.

Was taken up.

The question was then on the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 65 on page 1, line 10, by striking the period and inserting the following: ", this bill further provides for the redistribution of the state profit and tax on alcoholic beverages."

Further amend House Bill 65 on page 1, line 18 by striking out the period and inserting the following:

", and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Further amend House Bill 65 on page 3, line 9 by striking out Sections 4, 5 and 6 in their entirety and inserting the lieu thereof the following:

"Section 4. Section 28-3-74 of the Code of Alabama 1975, which related to the disposition and use of liquor profits, is hereby amended to read as follows:

"Section 28-3-74. Disposition of net profits from proceeds of stores.

"(a) The net profits derived from the proceeds of the Alabama liquor stores in each fiscal year, including all tax levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax, up to and including \$2,000,000.00, shall be paid out and applied as follows:

"(1) Fifty percent shall be covered into the general fund of the treasury of the state;

"(2) Nineteen percent shall be covered into the treasury of the state to the credit of the state department of pensions and security to be used and the same is hereby appropriated exclusively for old age assistance and for other purposes of the state department of pensions and security;

"(3) Ten percent shall be covered into the treasury of the state to the credit of the 67 wet counties of the state and shall be divided equally among each of said counties and shall be paid to them and shall be covered by them into their respective general funds;

"(4) One percent shall be paid into the treasury of the state to the credit of the 67 wet counties of the state and shall be divided equally among each of said counties and shall be paid to them to be used by them exclusively for the purposes of public health; and

"(5) Twenty percent shall be covered into the treasury of the state and shall be paid to the incorporated municipalities in which Alabama liquor stores are located on the following basis: Each municipality in which an Alabama liquor store is located shall receive as its percentage or portion of said 20 percent an amount equal to the ratio of the profits earned by such municipality's Alabama liquor store or stores to the total net profits of all Alabama liquor stores.

"(b) If the net profits derived from the proceeds of said Alabama liquor stores in any such fiscal year, including all tax levied upon the selling price of all spirituous or vinous liquors, less all cost and expense of collecting said tax, shall exceed the sum of \$2,000,000.00, such excess, up to and including \$200,000.00, shall be apportioned among and paid to the several incorporated cities and towns in the wet counties in the state on the basis of the ratio of the population of each such city or town to the total population of all such cities and towns.

"Any remainder of such excess over said \$200,000.00 shall be apportioned and paid out as follows:

"(1) Ten percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to the several wet counties in the state for general purposes on the basis of the ratio of the population of each such county of the population of all such counties;

"(2) Sixteen and two-thirds percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to the aforementioned incorporated cities and towns in the wet counties in the state on the basis of the ratio of the population of each such city or town to the total population of such cities and towns;

"(3) Three and one-third percent of such remainder for each fiscal year thereafter shall be apportioned among and paid to such of said several cities and towns as may have one or more Alabama liquor stores therein upon the basis of the ratio of the population of each such liquor store city or town to the total population of all such liquor store cities and towns. Each and every amount received by any city or town out of said remainder shall be for general purposes;

"(4) Ten percent of such remainder shall be covered into the treasury of the state to the credit of the state department of pensions and security to be used for general welfare purposes; and

"(5) Sixty percent of such remainder for each fiscal year thereafter shall be paid to the state for general purposes.

"Populations shall be ascertained for the purposes of distribution under this subsection according to the last decennial federal census preceding commencement of the fiscal year for which distribution is to be made.

"(c) Distribution of net profits (including all taxes levied upon the selling price of spirituous or vinous liquors) under subsections (a) and (b) of this section shall be made from time to time during the fiscal year for which net profits (including all taxes levied upon the selling price of spirituous liquors) are to be ascertained according to reasonable estimates of profits (including all taxes levied upon the selling price of spirituous or vinous liquors) for such year and such amounts to be paid

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beneficiaries or recovered from beneficiaries at the end of the year as will net beneficiaries the correct amounts for the year prescribed for them by subsections (a) and (b) of this section. Payments to counties and municipalities will be made semiannually on or before February 1 and August 1 of each year.

"(d) The board is authorized to retain moneys withheld since July 1, 1949, and may withhold from distribution the sum of \$50,000.00 per month plus all discounts earned until such times as has been accumulated a working capital fund or reserve of \$4,000,000.00; provided, that should the ABC system cease to operate in Alabama, the funds shall be distributed to the several beneficiaries thereof on the same basis that it was withheld.

"(e) The board shall, on receipt of proof that a county has changed its status from a dry county to a wet county, accept such county as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next fiscal year of the board. The board shall, on receipt of proof of the incorporation of newly created municipality in a wet county and the population thereof, accept the municipality as a beneficiary for participation in the ABC system profits as provided by law at the beginning of the next fiscal year of the board.

"(f) No wet county which receives funds under the provisions of this section shall receive less than it received in the fiscal year beginning October 1, 1977."

Section 5. Section 28-3-181 of the Code of Alabama 1975 is hereby amended to read as follows:

"Section 28-3-181. Additional three and one-half cent tax.

"(a) Levy. In addition to all other taxes now imposed by law and in addition to the licenses provided for by this chapter, there is hereby levied a privilege or excise tax on every person licensed under the provisions of this chapter who sells, stores or receives for the purpose of distribution to any person, firm, corporation, club or association within the state of Alabama any malt or brewed beverages. The tax levied by this subsection shall be measured by and graduated in accordance with the volume of sales by such person of malt or brewed beverages, and shall be an amount equal to three and one-half cents for each 12 fluid ounces or fractional part thereof.

"(b) Collection. The tax levied by subsection (a) of this section shall be collected by the alcoholic beverage control board in the same manner as other taxes and license fees are collected by it.

"The tax shall be added to the sales price of all malt or brewed beverages sold, and shall be collected from the purchasers. It shall be unlawful for any person, firm, corporation, club or association who is required to pay the tax in the first instance to fail or refuse to add to the sales price and collect from the purchaser the required amount of tax, it being the intent and purpose of this provision that the tax levied is in fact a levy on the consumer, with the person, firm, corporation, club or association who pays the tax in the first instance acting merely as an agent for the state for the collection and payment of the tax.

"(c) Disposition of proceeds.—The proceeds of the tax levied by subsection (a) of this section shall be distributed as follows:

"(1) One seventh of said proceeds shall be paid into the state treasury to the credit of the 67 wet counties in the state and shall be month to the said counties;

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"(2) Two sevenths of said proceeds shall be paid into the state treasury to the credit of the state public welfare trust fund and shall be used for general welfare purposes. As used in this section, the phrase "general welfare purposes" means:

"a. The administration of public assistance as set out in sections 38-2-5 and 38-4-1;

"b. Services, including supplementation and supplementary services under the federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under sections 38-2-5 and 38-4-1;

"c. Services to and on behalf of dependent, neglected or delinquent children; and

"d. Investigative and referral services to and on behalf of needy persons.

"(3) The residue of said proceeds thereafter remaining shall be paid into the state treasury to the credit of the Alabama special educational trust fund and so much thereof as may be necessary for the purpose is hereby appropriated to pay the principal of and interest on bonds, not exceeding \$30,000,000.00 in aggregate principal amount, issued and sold by the public corporation known as the Alabama Trade School and Junior College Authority."

"Section 6. Repealer. All laws and parts of laws that are in conflict with any of the provisions of this Act are, to the extent of such conflict, repealed.

"Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

MOTION TO TABLE LOST

The motion offered by Mr. Morris to table the amendment reported by the Standing Committee on Ways and Means, was lost.

Yeas 26; Nays 64.

Yeas:

Messrs.: Campbell, Cates, Crowe, Dial, Holley, Holmes (D), Jackson (F), Jolly, McCluskey, McNees, Moore (O), Morris, Naramore, Owens, Ray, Robertson, Smith (C), Smith (J), Smith (M), Sparks, Towns, Turnham, Venable, Ward, Warren and Weeks.

—26

Nays:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McMillan, McNair, Martin, Merrill, Mitchem, Moore (W), Plaster, Quarles, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Sonnier, Starkey, Thomas, Trammell, Waggoner, Whatley, White, Williams, Wyatt and Younce.

—64

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Wyatt to indefinitely postpone the bill, H. 65 with pending amendment, was lost.

Yeas 41; Nays 49.

Yeas:

Mr. Speaker, Barron, Campbell, Cates, Clark, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (D), Jackson (F), Johnson, Jolly, Langford, Lockett, McCluskey, McCulley, McNees, Merrill, Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Smith (C), Smith (J), Smith (M), Sparks, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—41

Nays:

Messrs.: Albright, Andrews, Armstrong, Biddle, Callahan, Carothers, Carter, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Martin, Mitchem, Moore (W), Quarles, Riddick, Roberts, Sandusky, Sasser, Shoemaker, Smith (B), Sonnier, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—49

AMENDMENT ADOPTED

The question was again on the amendment reported by the Standing Committee on Ways and Means to the bill, H. 65, and the amendment was adopted.

Yeas 68; Nays 7.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lutz, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (W), Plaster, Quarles, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Whatley, White, Williams, Wyatt and Younce.

—68

Nays:

Mr. Speaker, Campbell, Crowe, Dial, Edwards, Holley, Holmes (D), Jackson (F), Johnson, Jolly, McCluskey, McCulley, McNees, Moore (O), Morris, Naramore, Owens, Pegues, Ray, Robertson, Smith (C), Smith (J), Towns, Turnham, Ward, Warren and Weeks.

—27

REQUEST OF SPEAKER

Mr. McCorquodale, Speaker of the House of Representatives requested that the Journal show, that in his opinion, the intent of the Call was removed by passing the Ways and Means amendment to the bill, H. 65.

AMENDMENT OFFERED

Mr. Greer offered the following amendment to the bill, H. 65 as amended:

Amend H. 65 by inserting the following section 8:

"8. If any portion of this Act should be declared invalid by any count of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this Act, which shall continue effective"

AMENDMENT TABLED

On motion of Mr. Sonnier, the amendment offered by Mr. Greer to the bill, H. 65 as amended, was tabled.

Yeas 74; Nays 15.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (W), Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, White, Williams, Wyatt and Younce.

—74

Nays:

Mr. Speaker, Campbell, Crowe, Dial, Holmes (D), McNeese, Morris, Naramore, Owens, Robertson, Towns, Turnham, Warren, Weeks and Whatley.

—15

AMENDMENT OFFERED

Mr. Cates offered the following amendment to the bill, H. 65 as amended:

Amend H. B. 65 by striking out Section 4 (f) and inserting the following.

"(f) no county in Alabama which received funds from the Alcoholic Beverage Control Board in the past shall receive less than it received in the fiscal year beginning October 1, 1977.

AMENDMENT TABLED

On motion of Mr. Sonnier, the amendment offered by Mr. Cates to the bill, H. 65 as amended, was tabled.

Yeas 65; Nays 24.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Carter, Coburn, Cooper, Crawford, Cross, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McMillan, McNair, Martin, Merrill, Mitchem, Moore (O), Moore (W),

Plaster, Quarles, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Whatley, White, Williams, Wyatt and Younce.

—65

Nays:

Mr. Speaker, Carothers, Cates, Crowe, Dial Holley, Holmes (D), Jackson (F), Jolly, McCluskey, McNees, Morris, Naramore, Owens, Pegues, Ray, Robertson, Sasser, Smith (J), Smith (M), Towns, Turnham, Warren and Weeks.

—24

AMENDMENT OFFERED

Mr. Armstrong offered the following amendment to the bill, H. 65 as amended:

Amend H. B. 65 on page 2, line 11 by adding the sentence after the word therein: "Any portion of a counties share of said payments is to be paid to the municipalities who are served by TVA in the same proportion that the population of the served municipalities bears to the population of those who are served by TVA within the county."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 12.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Coburn, Cooper, Crawford, Cross, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harrison, Hill, Hilliard, Holmes (D), Hopping, Howard, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lutz, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Quarles, Ray, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Weeks, Whatley, White, Williams and Younce.

—68

Nays:

Messrs.: Crowe, Dial, Holmes (A), Jackson (R), Langford, Leonard, Lockett, Naramore, Plaster, Smith (C), Towns and Wyatt.

—12

AMENDMENT OFFERED

Mr. Morris offered the following amendment to the bill, H. 65 as amended:

Amend House Bill 65 on Page 1, Line 10, by striking the period and inserting the following:

"All revenue received by any licensed dog track in this State shall be divided equally among all counties after the first one hundred thousand dollars (\$100,000.00)."

AMENDMENT TABLED

On motion of Mr. Callahan, the amendment offered by Mr. Morris to the bill, H. 65 as amended, was tabled.

Yeas 57; Nays 33.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lutz, McCulley, McMillan, McNair, Manley, Martin, Mitchem, Moore (W), Morris, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Sonnier, Sparks, Starkey, Towns, Turnham, Venable, White and Younce.

—57

Nays:

Mr. Speaker, Baker, Campbell, Cates, Crawford, Crowe, Dial, Edwards, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Langford, Lockett, McCluskey, McNees, Merrill, Naramore, Owens, Pegues, Plaster, Ray, Smith (M), Towns, Turnham, Venable, Ward, Weeks, Whatley, Williams and Wyatt.

—33

AMENDMENT OFFERED

Mr. Robertson offered the following amendment No. 1 to the bill, H. 65 as amended:

Amend H. B. 65 as follows:

In the synopsis, on line 10, after the period add the following:

It provides for a similar distribution of a portion of the payments made into the special educational trust fund, the general fund of the state treasury, and to any other state fund, by the Alabama Power Company.

In the title, on line 18½, delete the period and add the following:

; and to provide further for the distribution of funds, which represent monies paid by Alabama Power Company from the special educational trust fund, the general fund of the state treasury or any other state fund, on the same basis and formula as the distribution of the payments made to the state by the Tennessee Valley Authority.

On page 2, line 39 add a new Section 3, and renumber the remaining sections accordingly, as follows:

Section 3. All funds, which represent monies paid by the Alabama Power Company into the special educational trust fund, the general fund of the state treasury, or any other state fund, shall be distributed to the respective counties of origin on the same basis and by the same formula as the distribution of the payments made to the state, in lieu of taxes, by the Tennessee Valley Authority and as prescribed by Sections 1 and 2 of this Act.

AMENDMENT TABLED

On motion of Mr. Killian, the amendment No. 1 offered by Mr. Robertson to the bill, H. 65 as amended, was tabled.

Yeas 50; Nays 44.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Callahan, Carter, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Martin, Mitchem, Moore (W), Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—50

Nays:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Cates, Clark, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Langford, Lockett, McCluskey, McNees, Manley, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Robertson, Sasser, Smith (C), Smith (J), Smith (M), Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—44

MOTION TO POSTPONE TABLED

On motion of Mr. Riddick, the motion offered by Mr. Wyatt to postpone further consideration of the bill, H. 65 as amended, to the ninth legislative day, was tabled.

Yeas 50; Nays 44.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carter, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Manley, Martin, Mitchem, Moore (W), Quarles, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Trammell, Waggoner, White and Younce.

—50

Nays:

Mr. Speaker, Barron, Buskey, Campbell, Cates, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Kennedy, Langford, Lee, Lockett, McCluskey, McCulley, McNees, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Smith (C), Smith (J), Smith (M), Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—44

AMENDMENT OFFERED

Mr. Robertson offered the following amendment No. 2 to the bill, H. 65 as amended:

Amend H. B. 65 as follows:

On page 1, line 21, by striking the period after the word "authority" and inserting the following:

; and to provide further for the distribution of State ad valorem tax revenues collected from privately owned electric utilities,

On page 3, line 6, by inserting the following new section and by renumbering subsequent sections accordingly:

Section 4. Of all ad valorem tax revenues collected by the state from any privately owned electric utility, the following percentages shall be distributed back to the counties in which the property taxed is located, to be used for any lawful purpose: for the fiscal year beginning October 1, 1979, twenty percent (20%) of said revenues shall be so distributed, and in each subsequent fiscal year the percentage of distribution shall be increased by ten percent (10%) per year until eighty percent (80%) of said revenues are so distributed annually.

AMENDMENT TABLED

On motion of Mr. Greer, the amendment No. 2 offered by Mr. Robertson to the bill, H. 65 as amended, was tabled.

Yeas 41; Nays 38.

Yeas:

Messrs.: Albright, Armstrong, Callahan, Carter, Coburn, Cooper, Cross, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lutz, McMillan, McNair, Martin, Mitchem, Moore (W), Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Trammell, White and Younce.

—41

Nays:

Mr. Speaker, Andrews, Baker, Barron, Campbell, Cates, Crawford, Crowe, Edwards, Harris, Harrison, Holley, Jackson (F), Johnson, Jolly, Langford, Lee, Lockett, McCluskey, Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Robertson, Sasser, Smith (C), Smith (J), Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—38

AMENDMENT OFFERED

Mr. Carothers offered the following amendment to the bill, H. 65 as amended:

Amend H. B. 65 as follows:

On page 1, line 22, by striking the period after the word "authority" and inserting the following:

; and to provide further for the distribution of State ad valorem tax revenues collected from privately owned electric utilities.

On page 3, line 6, by inserting the following new section and by renumbering subsequent sections accordingly:

Section 4. Of all ad valorem tax revenues collected by the state from any privately owned electric utility, the following percentages shall be distributed back to the counties in which the property taxed is located, to be used for any educational purpose: for the fiscal year beginning October 1, 1979, twenty percent (20%) of said revenues shall be so distributed, and in each subsequent fiscal year the percentage of distribution shall be increased by ten percent (10%) per year until eighty percent (80%) of said revenues are so distributed annually.

3rd Day

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Carothers to the bill, H. 65 as amended, was tabled.

Yeas 52; Nays 38.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Leonard, Lutz, McMillan, McNair, Manley, Martin, Mitchem, Moore (O), Moore (W), Quarles, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—52

Nays:

Mr. Speaker, Baker, Campbell, Carothers, Cates, Crawford, Crowe, Dial, Edwards, Harris, Holley, Jackson (F), Jolly, Kinsey, Langford, Lee, Lockett, McCluskey, McNees, Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (J), Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—38

AMENDMENT OFFERED

Mr. Barron offered the following amendment to the bill, H. 65 as amended:

Amend H. B. 65, by inserting the word "property" between the words "of" and "taxes" in Section 1, page 1, on lines 17, 23, 27, 30 and 34.

AMENDMENT TABLED

On motion of Mr. Riddick, the amendment offered by Mr. Barron to the bill, H. 65 as amended, was tabled.

Yeas 52; Nays 38.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Callahan, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Quarles, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—52

Nays:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Cates, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Langford, Lee, Lockett, McCluskey, McNees, Manley, Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (J), Turnham, Venable, Ward, Warren, Weeks, Williams and Wyatt.

—38

MOTION TO POSTPONE TABLED

On motion of Mr. Riddick, the motion offered by Mr. Wyatt to post-

pone further consideration of the bill, H. 65 as amended, to the eighth legislative day, was tabled.

Yeas 53; Nays 36.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Callahan, Carter, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Manley, Martin, Mitchem, Moore (O), Moore (W), Owens, Pegues, Quarles, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner and Younce.

—53

Nays:

Messrs.: Baker, Barron, Buskey, Campbell, Carothers, Cates, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Jolly, Langford, Lee, Lockett, McCluskey, McNees, Morris, Naramore, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (J), Turnham, Venable, Ward, Warren, Weeks, Williams and Wyatt.

—36

AMENDMENT OFFERED

Mr. Robertson offered the following amendment No. 3 to the bill, H. 65 as amended:

On page 3, after line 8, add a new Section 4 and renumber the remaining sections accordingly:

Section 4. Any county in the State which is prohibited by any law, State or local, from selling alcoholic beverages and which is not served by the TVA Authority shall share in the distribution of tax revenues by the State, generated from the sale of alcoholic beverages, on the same basis as counties which sell alcoholic beverages.

MOTION TO TEMPORARILY POSTPONE TABLED

On motion of Mr. Riddick, the motion offered by Mr. Holley to temporarily postpone further consideration of the bill, H. 65 as amended and with pending amendment was tabled.

Yeas 49; Nays 39.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lutz, McCulley, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Quarles, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—49

Nays:

Mr. Speaker, Baker, Barron, Buskey, Campbell, Cates, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Langford, McCluskey, McNees, Manley, Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Sasser, Smith (J), Smith (M), Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—39

3rd Day

AMENDMENT TABLED

The question was then on the amendment No. 3 offered by Mr. Robertson to the bill, H. 65 as amended, and on motion of Mr. Riddick, the amendment was tabled.

Yeas 50; Nays 38.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Callahan, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lutz, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Quarles, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—50

Nays:

Mr. Speaker, Baker, Barron, Campbell, Cates, Crawford, Crowe, Dial, Edwards, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Langford, McCluskey, McCulley, McNees, Manley, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (J), Smith (M), Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—38

AMENDMENT OFFERED

Mr. Morris offered the following amendment No. 2 to the bill, H. 65 as amended:

Amend H. B. 65 as amended on page 1 line 10 by striking the period and inserting the following:

All revenue received by any licensed dog track in this state shall be divided equally among all counties after the first one hundred thousand \$100,000. All revenue, if any, received by any state docks shall be distributed evenly among all counties equally after the first \$5,000 received. All revenue, if any, received by any county from the coal severance tax shall be distributed equally between all counties.

AMENDMENT TABLED

On motion of Mr. Riddick, the amendment offered by Mr. Morris to the bill, H. 65 as amended, was tabled.

Yeas 49; Nays 30.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Callahan, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Lutz, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Quarles, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—49

Nays:

Mr. Speaker, Baker, Barron, Campbell, Cates, Crawford, Crowe, Edwards, Holley, Holmes (A), Holmes (D), Johnson, Langford, Lockett, McCluskey,

Morris, Naramore, Pegues, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (M), Turnham, Ward, Warren, Whatley, Williams and Wyatt.

—30

AMENDMENT OFFERED

Mr. Owens offered the following amendment to the bill, H. 65 as amended:

On page 3, after line 8, add a new Section 4 and renumber the remaining sections accordingly:

Section 4. Any county or city in the State which is prohibited by any law from selling alcoholic beverages and which is not served by the TVA Authority shall share in the distribution of tax revenues by the State, generated from the sale of alcoholic beverages, on the same basis as counties which sell alcoholic beverages.

AMENDMENT TABLED

On motion of Mr. Riddick, the amendment offered by Mr. Owens to the bill, H. 65 as amended, was tabled.

Yeas 52; Nays 34.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Carter, Clark, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Gregg, Hall, Harrison, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Johnstone, Kelley, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Plaster, Quarles, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, Wyatt and Younce.

—52

Nays:

Mr. Speaker, Baker, Barron, Campbell, Carothers, Cates, Crawford, Crowe, Edwards, Harris, Holley, Holmes (D), Jackson (F), Johnson, McCluskey, McCulley, McNees, Manley, Naramore, Owens, Pegues, Ray, Robertson, Sasser, Smith (C), Smith (J), Smith (M), Turnham, Venable, Ward, Warren, Weeks, Whatley and Williams.

—34

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Owen:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 56. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Owen (With Notice and Proof):

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 64 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

MCDOWELL LEE, SECRETARY

Also:

By Mr. Clemon (With Notice and Proof):

S. 83. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.) as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 83 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

MCDOWELL LEE, SECRETARY

Also:

By Mr. Ellis (With Notice and Proof):

S. 44. To authorize and provide for the incorporation in Jefferson County of public corporations for the purpose of promoting the industrial development of the county and municipalities therein and particularly the development and commercial use of the inland waterways in such county through the acquisition and preparation of suitable wharves, docks, warehouses, and other port and related facilities, including roads, railroads, pipelines, conveyors, and facilities suitable for use as manufacturing plants, industrial plants, and leasing or letting such buildings,

structures, or facilities; to provide for the appointment and compensation of directors of any such authority; to provide for the powers, authorities and duties of any such authority and its board of directors; specifically to authorize any such authority to acquire, construct, operate, improve and finance wharves, docks, warehouses, and other port and related facilities, and specifically to apply to the United States Foreign Trade Zones Board for permission to establish, operate and maintain a foreign trade zone and, if such permission is granted, then to establish, operate and maintain such a foreign trade zone; to confer on such authority the power of eminent domain; to provide for the issuance by any such authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any facilities or other property of such authority, without regard to the facilities or property with respect to which such securities may have been issued; to provide that such securities shall constitute negotiable instruments; to regulate and provide further for the issuance of, security for (including the pledge of certain revenues and properties to the payment thereof), and use of the proceeds of such securities; to provide for refunding of such securities; to provide that such securities issued and contracts entered into by any such authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, agency or instrumentality of this state may aid and cooperate with, lend or denote money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any port facilities or other property to any such authority; to exempt the property and income of any such authority, all securities issued by such authority and the income from such securities, and all conveyances, leases, mortgages and deeds of trust to which such authority is a party, from all taxation in the state, including license and excise taxes, levied by any county, municipality, or political subdivision of the state; to exempt such authority from payment of certain charges to judges of probate; to exempt every authority from certain tort liability; and to provide that certain employees of such authority shall be subject to and covered by any merit or civil service system applicable to the employees of the county and municipality by which the incorporation of the authority was authorized if there is such a system applicable to the employees of both the city and county, and, if there is no such system, then to either the county or municipal system, which the authority selects; and to provide for the dissolution of any such authority and the disposition of its property.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 44 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

MCDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS AT-

TACHED TO THE BILL, S. B. 57 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 59 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 71 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 72 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 61. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system, if approved by the electorate.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 61 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Owen (With Notice and Proof):

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital

within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 74 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Adams:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Also:

By Mr. Jones (With Notice and Proof):

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 41 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Wilson (With Notice and Proof):

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by he Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 8 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also:

By Mr. Little (With Notice and Proof);

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 23 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

McDOWELL LEE, SECRETARY

Also;

By Mr. Little (With Notice and Proof):

S. 24. Relating to Tallapoosa County; further regulating the trapping of fur-bearing animals in said county and prescribing penalty for enforcement.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 24 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

MCDOWELL LEE, SECRETARY

Also:

By Mr. Teague (With Notice and Proof):

S. 22. Relating to Calhoun County; providing that the members of the county board of education shall be elected only by the qualified electors of Calhoun County who reside within the school districts served by said board.

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, S. B. 22 AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

MCDOWELL LEE, SECRETARY

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 64. Local Legislation No. 1.
- S. 83. Local Legislation No. 2.
- S. 44. Local Legislation No. 2.
- S. 57. Local Legislation No. 1.
- S. 59. Local Legislation No. 1.
- S. 71. Local Legislation No. 1.
- S. 72. Local Legislation No. 1.
- S. 61. Local Legislation No. 1.
- S. 74. Local Legislation No. 1.
- S. 86. Local Legislation No. 1.
- S. 41. Local Legislation No. 4.
- S. 8. Local Legislation No. 1.
- S. 23. Local Legislation No. 1.
- S. 24. Local Legislation No. 1.
- S. 22. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Jones and Fine:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

Also:

By Messrs. Teague, Powell, Fine, Perloff, Owen, Proctor and Peden:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Also:

By Messrs. Peden, Waldrop, Gilmore, Powell, St. John, McMillan and Teague:

S. 1. To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows;

- S. 42. Ways and Means.
- S. 21. Ways and Means.
- S. 1. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Owen and Mims:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 70. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr Powell:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Also:

By Messrs. Goodwin and Perry:

S. 50. To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Also:

By Mr. Owen:

S. 63. Proposing an amendment to the Constitution of Alabama providing further for the procedure for the enactment of bills raising revenue.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 39. Ways and Means.

S. 50. Ways and Means.

SENATE MESSAGE

The Senate Bill, S. 63, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Ellis;

S. 17. To amend section 16-25-1 and 16-25-21, Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or officers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

Also:

By Mr. Little:

S. 26. To direct the Alabama Historical Commission to erect a monument on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

Also:

By Mr. Mims:

S. 52. To exempt the Grand Chapter of the Order of the Eastern Star and the South Alabama State Fair Association of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Also:

By Mr. McDonald (A):

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Also:

By Messrs. St. John and Fine:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

Also:

By Messrs. Ellis and Vacca:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Alabama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

Also:

By Messrs. Ellis and Vacca:

S. 19. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 17. Ways and Means.
- S. 26. Ways and Means.
- S. 52. Ways and Means.
- S. 81. State Administration.
- S. 79. State Administration.
- S. 16. Highway Safety.
- S. 19. Highway Safety.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Perry:

S. 85. To reorganize the Public Service Commission by providing for an increase in the membership of said Commission; to prescribe at large elections for members of the Commission; to prescribe terms of office, compensation and procedure for election of the members; to provide further duties and authority of the Commission; and to require the Public Service Commission to hire an Executive Director and certain other specialized personnel necessary to transform it into a highly structured regulatory Commission.

Also:

By Messrs. Pearson, Clemon, Roberts, Ellis, Mims, Fine, Perloff, Peden, McDonald (A), Gilmore, Owen, Foshee, St. John, Waldrop, Powell, King, Bank, Vacca, Goodwin and McMillan:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

Also:

By Messrs. Peden, Fine, Gilmore, Waldrop, St. John, McDonald (A) and Clemon:

S. 2. To provide further for the distribution of payments in lieu of taxes made to the state by the Tennessee Valley Authority.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 85. Ways and Means.

SENATE MESSAGE

The Senate Bill, S. 15, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on State Administration.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 2. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Owen:

S. 73. To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

Also:

By Messrs. Foshee and Wilson:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Also:

By Mr. Powell:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Also:

By Mr. Goodwin:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Also:

By Mr. Goodwin:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Also:

By Mr. Noonan:

S. 77. To provide the manner corporations not of a business nature may amend or alter their charters.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 73. Ways and Means.
- S. 13. State Administration.
- S. 38. Health.
- S. 48. Local Legislation No. 1.
- S. 49. State Administration.
- S. 77. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Waldrop:

S. 14. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Also:

By Mr. Owen:

S. 69. To provide that anyone convicted of the felonies of murder in the first degree and incarcerated by the state shall be held in maximum security detention and shall not be assigned to prison farms or to work release centers and activities.

Also:

By Messrs. Foshee, Owen and Fine:

S. 34. To provide further for the establishment of rates of payment for electrical energy produced by companies regulated by the Public Service Commission.

Also:

By Messrs. Foshee, Owen and Fine:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Also:

By Mr. Foshee:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 14. Judiciary.
- S. 69. State Administration.
- S. 34. Judiciary.
- S. 35. Ways and Means.
- S. 36. State Administration.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Foshee and Owen:

S. 89. Proposing an amendment to the State Constitution to authorize the Governor, by Executive Order, to freeze at the present level or to roll back to any level existing at any time during the six month period immediately preceding said Executive Order, any utility rate or rates established by the Alabama Public Service Commission for a period of up to one year, and to provide that this amendment shall be self-executing.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 89, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDonald (A):

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses, car pools and van pools from regulation by the Public Service Commission and municipalities.

Also:

By Messrs. Owen and Shelby:

S. 67. To amend Section 1 of Act No. 600, H. 1134, 1977 Regular Session (Acts 1977, p. 805). as amended, relating to pay increases for certain law enforcement officers, so as to provide a pay increase beginning October 1, 1978, for law enforcement officers employed by the Department of Mental Health.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 7. State Administration.
- S. 67. Ways and Means.

PERMISSION GRANTED

Upon the request of Mr. McCulley, it was directed that the Journal reflect that the bill, S. 61, was not properly advertised, and that only the title was advertised, and that the advertisement was in a Mobile paper, and not in Washington County, which was the only county affected by

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the bill, S. 61. Mr. McCulley stated that the bill was introduced at the request of the County Commission of Washington County in an effort to belittle him, and further stated that he would be no party to anything of this nature that would belittle and falsely lead the people of Washington County, to whom he is directly responsible and completely loyal.

H. 65 RESUMED

And the bill:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 44.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Callahan, Carter, Coburn, Cooper, Cross, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnstone, Kelley, Kennedy, Killian, Kinsey, Leonard, Lutz, McMillan, McNair, Martin, Mitchem, Moore (O), Moore (W), Quarles, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Sparks, Starkey, Thomas, Trammell, Waggoner, White and Younce.

—51

Nays:

Mr. Speaker, Baker, Barron, Buskey, Campbell, Carothers, Cates, Clark, Crawford, Crowe, Dial, Edwards, Harris, Holley, Holmes (A), Holmes (D), Johnson, Jolly, Langford, Lockett, McCluskey, McCulley, McNeas, Manley, Merrill, Morris, Naramore, Owens, Pegues, Plaster, Ray, Robertson, Sasser, Smith (C), Smith (J), Smith (M), Turnham, Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—44

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Pegues, the rules were suspended in order to postpone all bills on the Calendar to reach the bills, H. 23 and H. 24.

And the bill:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary

funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by section 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 23:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Callahan, Carothers, Cates, Clark, Copoer, Crawford, Cross, Dial, Gafford, Glass, Greer, Hall, Hill, Holmes (A), Hopping, Howard, Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Lockett, McCluskey, McNeese, Martin, Merrill, Moore (O), Morris, Ray, Robertson, Sandusky, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Turnham, Venable, Weeks, Williams and Younce.

And the bill:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn,

Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Harris, Hill, Holmes (A), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 24:

Messrs. Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Falkenburg, Gafford, Greer, Hill, Hopping, Howard, Kelley, Kennedy, Killian, Lockett, McCluskey, McNees, Martin, Merrill, Mitchem, Owens, Ray, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Turnham, Venable, Waggoner, Weeks, Whatley, Williams and Younce.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carothers, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 19.

And the bill:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Greer, Hall, Harris, Hill, Hopping, Howard, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Leonard, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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And the bill:

H. 166. (With Substitute): To amend Section 4 of Act No. 594, H. 308, 1978 Regular Session, entitled, "An Act To provide for the qualifications and selection of jurors; to provide for a master list, master jury box and trial court box; to provide for qualification forms and the questionnaires to be used thereon; and to repeal Sections 12-16-2, 12-16-4, 12-16-37, 12-16-39, 12-16-41, 12-16-42, and 12-16-43 of the Code of Ala-

bama 1975," so as to provide further for the exact date for emptying and refilling the master jury boxes.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 594, Regular Session 1978, is hereby amended to read as follows:

"Section 4. Master Jury Box. (a) The name of every person on the master list shall be set forth on a card listing the name or identifying number as a prospective juror, and the cards shall be placed in the master jury box as provided in this section.

(b) The number of prospective jurors to be placed in the master jury box shall be 1,000 plus one percent of the total number of names on the master list. From time to time additional prospective jurors may be placed in the master jury box as determined by the jury commission or ordered by the circuit court. In July of each even numbered year, the master jury box shall be emptied and refilled as herein prescribed. The master jury box shall be filled as prescribed in this Act by December 31, 1978, and shall be emptied and refilled in December of each even numbered year thereafter."

Section 2. Section 14 of Act No. 594, Regular Session 1978, is hereby amended to read as follows:

"Section 14. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. Provided, however, that nothing in this section shall be construed so as to require the jury commission to refill the master jury box, or to otherwise establish a trial court jury box of qualified prospective jurors, prior to the time specified in Section 4(b) of this Act."

Section 3. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Hall, Harris, Holley, Hopping, Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Sasser, Shelton, Shoemaker, Smith (B) Smith (C), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Weeks, Whatley, White, Williams, Wyatt and Younce.

—65

And the bill;

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

As thus amended, was read a third time at length and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Gafford, Glass, Greer, Gregg, Hall, Harris, Hill, Holmes (A), Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—72

Nays: Messrs.: Holley and Kennedy.

—2

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Andrews added as co-sponsor to the bill, H. 166.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Naramore, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 51.

And the bill:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to

administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas:

Messrs.: Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Greer, Hall, Hill, Holley, Hopping, Howard, Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—73

Nay: Mr. Albright.

—1

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Crawford, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 131.

And the bill:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Hill, Holley, Hopping, Howard, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lockett, Lutz, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—78

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Campbell, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bill, H. 150.

And the bill:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Was taken up.

AMENDMENT OFFERED

Mr. Campbell offered the following amendment No. 1 to the bill, H. 150:

To amend House Bill 150, page 22, line 9, by inserting a new section as follows and renumbering the following sections:

"Section 21. Limits on Applicability—The provisions of this Act shall not apply to transporters regulated under the provisions of P. L. 91-458, enacted by the Congress of the United States, October 16, 1970."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 51; Nays 2.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Edwards, Glass, Greer, Hall, Hill, Hopping, Howard, Johnstone, Kelley, Killian, Kinsey, Leonard, Lockett, McMillan, McNair, McNees, Manley, Mitchem, Naramore, Owens, Pegues, Quarles, Ray, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Venable, Ward, Warren, Weeks, Whatley, Williams and Younce.

—51

Nays: Messrs.: Holley and Wyatt.

—2

AMENDMENT OFFERED

Mr. Campbell offered the following amendment No. 2 to the bill, H. 150 as amended:

To amend House Bill 150, page 9, line 14, by striking paragraph (8) in its entirety.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 54; Nays 3.

Yeas:

Messrs.: Albright, Andrews, Baker, Barron, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Edwards, Hall, Holmes (D), Hopping, Howard, Johnstone, Kelley, Killian, Kinsey, Lockett, McMillan, McNair, McNeese, Manley, Mitchem, Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Riddick, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Thomas, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—54

Nays: Messrs.: Jackson (R), Lutz and Wyatt.

—3

And the bill, H. 150 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 7.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Edwards, Glass, Greer, Hall, Hill, Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Kelley, Killian, Kinsey, Lockett, McMillan, McNair, McNeese, Manley, Martin, Mitchem, Moore (W), Naramore, Owens, Pegues, Quarles, Ray, Riddick, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Starkey, Thomas, Turnham, Venable, Waggoner, Ward, Weeks, Whatley, White, Williams and Younce.

—59

Nays:

Messrs.: Albright, Drake, Hilliard, Holley, Johnson, Lutz and Wyatt.

—7

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Hill, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bill, H. 105.

And the Bill:

H. 105. To amend section 36-27-1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Andrews, Barron, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Dial, Edwards, Glass, Greer, Hall,

3rd Day

Hill, Hilliard, Holley, Hopping, Howard, Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Weeks, Whatley, Williams, Wyatt and Younce.

—58

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 164.

And the bill:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Glass, Greer, Gregg, Hall, Hill, Hilliard, Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Leonard, Lutz, McMillan, McNees, Manley, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Warren, Weeks, Whatley, White, Williams, Wyatt, Younce.

—74

PERMISSION GRANTED

Permission was granted for the Journal to show Messrs. Killian, Naramore and Andrews added as co-sponsors to the bill, H. 164.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Owens, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 127.

And the bill:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 3.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Ed-

wards, Gafford, Glass, Greer, Harris, Hill, Holley, Holmes (D), Hopping, Johnstone, Kelley, Killian, Kinsey, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—66

Nays: Messrs.: Hilliard, Jackson (R) and Lutz.

—3

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Moore (W) the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 134.

And the bill:

H. 134. To authorize Alabama Building Finance Authority to sell and issue not exceeding \$11,000,000 principal amount of bonds for the purpose of constructing public office building facilities and altering, constructing additions to, and improving and renovating certain existing public office building facilities, and removing existing structures, and for the procurement of sites and equipment for such facilities or additions thereto, and for the construction of parking facilities; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and the recording thereof and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create obligations or debts of the state; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction of public office building facilities, the alteration, construction of additions to, and improvement and renovation of certain existing public office building facilities and for the equipment of such facilities or additions thereto by the Authority; to authorize the removal of existing structures and the construction of parking facilities; to authorize the conveyance to the Authority of lands owned by the state; to authorize the purchase of certain real property for such purposes; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities (when and as such revenues become available to the Authority) which may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of the bonds and the creation of the pledge as a lien on the revenues, which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, counties, municipal corporations, other public bodies, and private persons, firms, corporations or associations of space for occupancy in said facilities or additions thereto; to amend Section 25 of Act No. 658 enacted at the 1961 Regular Session of the Legislature of Alabama; to amend Section 18 of Act No. 205 enacted at the 1955 Regular Session of the Legislature of Alabama; and to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge.

Was taken up.

MOTION TO ADJOURN LOST

The motion offered by Mr. Morris that the House adjourn until 5:00 o'clock p.m., Thursday, August 3, 1978, was lost.

H. 134 RESUMED

MOTION TO POSTPONE TABLED

On motion of Mr. Moore (W), the motion offered by Mr. Morris to temporarily postpone consideration of the bill, H. 134, was tabled.

MOTION TO POSTPONE

Mr. Venable offered the motion to postpone consideration of the bill, H. 134 to the fourth legislative day.

MOTION TO TABLE

Mr. Callahan offered the motion to table the motion offered by Mr. Venable to postpone consideration of the bill, H. 134 to the fourth legislative day.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:00 A.M. on August 2, 1978:

H. J. R. 2
H. J. R. 3

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Waggoner and pursuant to the resolution, H. R. 49 heretofore adopted, the House adjourned until 5:00 o'clock p.m., Thursday, August 4, 1978.

Yeas 39; Nays 31.

Yeas:

Messrs.: Andrews, Baker, Biddle, Carter, Coburn, Crawford, Drake, Edwards, Glass, Hall, Harris, Harrison, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Langford, Leonard, Manley, Martin, Merrill, Morris, Ray, Riddick, Robertson, Sasser, Shelton, Smith (J), Smith (M), Sonnier, Starkey, Thomas, Trammell, Waggoner, Warren, Weeks, Whatley and Younce.

—39

Nays:

Mr. Speaker, Armstrong, Barron, Callahan, Cates, Clark, Cross, Greer, Hill, Johnson, Jolly, Kelley, Killian, Kinsey, McMillan, McNair, McNees, Mitchem, Moore (O), Moore (W), Naramore, Owens, Quarles, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Turnham, Venable and Wyatt.

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FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 3, 1978

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Driftwood Rucker, Minister, First United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 1. RELATING TO THE PRINTING OF ACTS

Also:

S. J. R. 9. PETITIONING THE OFFICIALS OF THE GAME AND FISH COMMISSIONS OF THE STATES OF ALABAMA AND GEORGIA URGING THEM TO AMEND AN EXISTING RECIPROCAL FISHING AGREEMENT SO AS TO RECOGNIZE THE VALIDITY OF ALABAMA AND GEORGIA FISHING LICENSES IN THE WATERS OF THE

CHATTAHOOCHEE RIVER MEANDERING IN A SOUTHERLY DIRECTION FROM THE SOUTH FACE OF THE WEST POINT DAM TO THE POINT WHERE SAID RIVER IS INTERSECTED BY THE RIGHT-OF-WAY OF THE INTERSTATE 85 BRIDGE LINKING HARRIS COUNTY, GEORGIA, AND CHAMBERS COUNTY, ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Manley:

H. R. 51. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That when we adjourn today, Thursday, August 3, 1978, we adjourn to meet again on Friday, August 4, 1978, at 10:00 A. M.

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 51, was adopted.

Also:

By Mr. Holmes (A):

H. R. 52. COMMENDING RAY ANDREWS, ASSISTANT TO THE CLERK OF THE HOUSE.

WHEREAS, Mr. Ray Andrews most ably serves as an Assistant to the Clerk of the Alabama House of Representatives, and has served in said capacity for more than seven years and

WHEREAS, during this time, Ray Andrews has worked diligently in the capable performance of his duties and has further proved to be exceedingly helpful, on numerous occasions, to the members of this body; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we most gratefully express appreciation to our friend, Ray Andrews, for his notable contributions to the pressing affairs of this body.

BE IT FURTHER RESOLVED, That Mr. Andrews be presented with a copy of this resolution as but a token of our high praise, appreciation and esteem.

On motion of Mr. Holmes (A), the rules were suspended and the resolution, H. R. 52, was adopted.

Also:

By Mr. McCulley:

H. R. 53. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO S. B. 61 PROPOSING AN AMENDMENT TO THE CONSTITUTION, SECOND EXTRAORDINARY SESSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending S. B. 61 amending the Constitution of the Second Extraordinary Session, which act pertains, inter alia, to repeal the unit system of Washington County and is an advertised local bill. Copies of the bill and proof of publication are attached hereto and made a part hereof by reference.

1. Said bill was advertised not in a newspaper of general circulation published in Washington County, the county involved but on the contrary was printed in Mobile County, Alabama. Washington County has a newspaper of general circulation published within the boundary of said county. In the publication which was in the Mobile Press Register, only the title to the bill was published and not the bill in its entirety as provided in Section 106 of the Constitution of the State of Alabama, and the bill was published on July 15, 1978, July 17, 1978, July 24, 1978 and on July 30, 1978. The bill was introduced in the Senate on July 31, 1978.

Does the facts that the bill was not advertised in a newspaper of general circulation in Washington County, Alabama plus the fact that the bill was advertised by title only plus the fact that the bill was advertised in a manner in which a complete week would not follow in one of the advertised dates render the bill unconstitutional if passed by the Legislature and signed by the Governor?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send nine true copies of the pending S. B. 61 with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Mr. Warren, the rules were suspended and the resolution, H. R. 53, was adopted.

Also:

By Messrs. Gregg, Albright, Riddick, Lutz, Moore (W) and Smith (B):

H. J. R. 54. COMMENDING THE HUNTSVILLE CITY SCHOOL SYSTEM AND THE ED WHITE MIDDLE SCHOOL.

WHEREAS, the Ed White Middle School in Huntsville, Alabama has for a number of years placed high priority on physical fitness and sports and;

WHEREAS, this priority emphasis has resulted in a student body generally known to have excelled in physical fitness and sports and;

WHEREAS, this excellence has resulted in the development of students of superior capabilities which have provided additional scholastic achievements and meritorious performance in services and;

WHEREAS, the President's Council on Physical Fitness and Sports in conjunction with the Alabama State Department of Education has recognized these superior achievements by the dedication and recognition of Ed White Middle School as a demonstration center for physical fitness and;

WHEREAS, Ed White Middle School holds this singular honor among its sister schools in the Huntsville system and;

4th Day

WHEREAS, the Huntsville City School System holds the singular honor of having been recognized for four (4) consecutive years as the only system in the State of Alabama to receive such honors,

NOW THEREFORE BE IT RESOLVED, that the House of Representatives and Senate of Alabama, both bodies thereof concurring, as well as the Honorable George C. Wallace, Governor of the State of Alabama, do hereby afford special recognition of these achievements during the 1978 Second Extraordinary Session of the legislative session. Further,

BE IT RESOLVED, that the State of Alabama hereby commend the Huntsville City School System and the Ed White Middle School by providing copies for record of this recognition to Principal Jack Anthony, of Ed White Middle School, and Dr. Shelby Counce, Superintendent of Huntsville City Schools.

On motion of Mr. Gregg, the rules were suspended and the resolution, H. J. R. 54, was adopted.

Also:

By Messrs. Kinsey, McMillan and Younce:

H. J. R. 55. EXPRESSING THE DISPLEASURE OF THE LEGISLATURE AT RECENT ACTION OF THE CONSERVATION ADVISORY BOARD REGARDING THE USE OF NETS AND ALSO PLACING A LIMIT OF TWENTY-FIVE ON THE CATCHING OF SALT WATER SPECKLED TROUT.

WHEREAS, the Conservation Advisory Board at its recent midsummer annual meeting has requested the director of conservation to promulgate regulations which would prohibit the use of any form of gill or trammel net in the salt waters of this State having a length of less than 1,200 feet; and

WHEREAS, this regulation is very discriminatory against a small commercial fisherman and the individuals who wish to use these type nets under license by the Department of Conservation; and

WHEREAS, it is absolutely impractical to use such lengthy nets in many areas and in many circumstances; and

WHEREAS, the Conservation Advisory Board at the same meeting also requested the director of conservation to set a limit of twenty-five on the taking or catching of speckled trout by sports fishermen; and

WHEREAS, this is an impractical limit and is much opposed by the sports fishermen who utilize the coastal waters of this State; and

WHEREAS, Governor Wallace has often expressed his displeasure at the dictates and arbitrary rulings of bureaucratic boards; and

WHEREAS, this is again a perfect example of the old saying that "those people are governed best who are governed least"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the director of conservation be informed that they believe this recommendation by the Conservation Advisory Board to be unwise and they do respectfully request that he not follow this recommendation in the promulgation of these suggested restrictions on the use of gill and trammel nets and the limit on the number of speckled trout a sports fisherman may catch.

BE IT FURTHER RESOLVED That Governor Wallace is respectfully requested to use his influence with the members of the Conservation Ad-

visory Board and the Director of Conservation to see that the wishes of the people are not ignored in this matter.

BE IT FURTHER RESOLVED That a copy of this resolution be sent by the Clerk of the House to the Governor, the director of conservation and each member of the Conservation Advisory Board.

On motion of Mr. Kinsey, the rules were suspended and the resolution, H. J. R. 55, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCluskey, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 68.

Yeas 40; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Campbell, Cates, Crowe, Drake, Edwards, Falkenburg, Goodwin, Hall, Hill, Hines, Howard, Jackson (F), Johnson, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, McMillan, McNees, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Smith (B), Sparks, Starkey, Towns, Venable, Warren, Whatley and Wyatt.

—40

Nay: Mr. Buskey.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 68. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Callahan, Campbell, Cates, Crawford, Cross, Crowe, Dial, Drake, Edwards, Goodwin, Greer, Hall, Hill, Hines, Jackson (F), Johnson, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McMillan, McNees, Morris, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Towns, Venable, Ward, Warren, Whatley, Wyatt and Younce.

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PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Sparks added as co-sponsor to the bill, H. 68.

BILLS ON SECOND READING

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill

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and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 14. (With Amendment): To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

Mr. Manley, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 77. To provide the manner corporations not of a business nature may amend or alter their charters.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, with amendment, and they were severally read a second time and placed on the Calendar to-wit:

S. 56. (With Substitute) (With Amendment): To make annual appropriations for the support maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

S. 1. (With Substitute) (With Amendment): To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 42. To amend Section 1 and 2 of Act No. 679, S. 601 of the 1978 Regular Session, approved May 1, 1978, which act provides salary increases for certain state employees, so as to include certain persons classified as clerk-stenographer II and IV.

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 50 (With Substitute): To conditionally appropriate the sum of five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 52. (With Amendment); To exempt the Grand Chapter of the Order of the Eastern Star and the South Alabama State Fair Association of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 85. To reorganize the Public Service Commission by providing for an increase in the membership of said Commission; to prescribe at large elections for members of the Commission; to prescribe terms of office, compensation and procedure for election of the members; to provide further duties and authority of the Commission; and to require the Public Service Commission to hire an Executive Director and certain other specialized personnel necessary to transform it into a highly structured regulatory Commission.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Substitute, and it was read a second time and placed on the Calendar, to-wit;

S. 73. (With Substitute): To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general

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fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Amendment, and it was read a second time and placed on the Calendar, to-wit;

S. 67. (With Amendment): To amend Section 1 of Act No. 600, H. 1134, 1977 Regular Session (Acts 1977, p. 805), as amended, relating to pay increases for certain law enforcement officers, so as to provide a pay increase beginning October 1, 1978, for law enforcement officers employed by the Department of Mental Health.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 39. (With Amendment): To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 26. To direct the Alabama Historical Commission to erect a monument on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

H. 28. To exempt the Phoenix House, Inc., of Tuscaloosa; the Tuscaloosa County Historical and Preservation Society of Tuscaloosa; the Arts and Humanities Council of Tuscaloosa County, Inc.; and the Junior League of Tuscaloosa, Inc., from the payment of all state, county, and municipal sales and use taxes.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with Amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 17. (With Amendment): To amend section 16-25-1 and 16-25-21, Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or of-

ficers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

Mr. Merrill, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 186. Pertaining to the Fifteenth Judicial Circuit of Alabama; to amend Act No. 597 of the 1978 Regular Session so as to increase the amount of appropriations to the Fifteenth Judicial Circuit of Alabama.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 to do not have to be republished.

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

The above bill was read a second time at length as required by the Constitution.

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses, car pools and van pools from regulation by the Public Service Commission and municipalities.

Mr. Owens, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with Substitute, and they were severally read a second time and placed on the Calendar, to-wit:

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S. 63. (With Substitute); Proposing an amendment to the Constitution of Alabama providing further for the procedure for the enactment of bills raising revenue.

The above bill was read a second time at length as required by the Constitution.

S. 69. (With Substitute): To provide that anyone convicted of the felonies of murder in the first degree and incarcerated by the state shall be held in maximum security detention and shall not be assigned to prison farms or to work release centers and activities.

Mr. Falkenburg, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit;

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Mr. Smith (B), Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Alabama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

S. 19. To define motorized bicycles, to prescribe the licensing procedure and allocation of license fees, to apply certain rules of the road and safety requirements and to require no insurance for the operation of such motorized bicycles.

Mr. Edwards, Chairman of the Standing Committee on Local Legislation No. 1., reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Acts No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices

in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

S. 61. To repeal Act No. 582, H. 170, Regular Session 1975 (Acts 1975, p. 1325), approved on October 1, 1975, which act provides for the construction, maintenance and repair of roads and bridges in Washington County under the county unit system, if approved by the electorate.

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Mr. Wyatt, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

RESOLUTION

The following resolutions were introduced:

By Messrs. Turnham, Carothers, Smith (C), Plaster and Sandusky:

H. J. R. 56. MOURNING THE DEATH OF MR. FAY E. GUYTON, FORMER AUBURN UNIVERSITY PROFESSOR.

WHEREAS, the Legislature of Alabama has been deeply grieved to learn of the death of Mr. Fay E. Guyton on July 30, 1978, at the age of 85; and

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WHEREAS, Mr. Guyton was a professor at Auburn University, School of Agriculture, for some 42 years following his graduation from Ohio State University; during his tenure at the University, he served as friend and mentor to more than 16,000 students, with his place in the life of Auburn and his commitment to the University setting a standard for others to follow; and

WHEREAS, following his retirement from Auburn's faculty in 1963, Fay E. Guyton served for ten years as head of Auburn's housing development for low-income families, giving of himself in a second career of service to others; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Fay E. Guyton of Auburn, Alabama; we further extend our most heartfelt sympathy to his wife, to their three sons and other family members to whom copies of this resolution shall be sent.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 56, was adopted.

Also:

By Mr. Smith (C);

H. J. R. 57. COMMENDING MR. MARK JONES ON RECENT HONORS RECEIVED.

WHEREAS, the Legislature of Alabama has noted that Mr. Mark Jones was recently honored by the Alabama Press Association at its Better Newspaper Contest Awards Banquet held at the Convention Center in Gulf Shores, Alabama; and

WHEREAS, Mr. Jones, who is associated with the Shelby County Reporter, received his award for his prize-winning photograph of a Calera, Alabama, father who found his young son safe after he had wandered away from home; and

WHEREAS, this prestigious award is indeed a tribute to the exceptional talent and ability of Mark Jones as a professional photographer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mr. Mark Jones as the recipient of the Alabama Press Association's award for outstanding photography and further direct that he receive a copy of this resolution as evidence of our congratulatory praise.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 57, was adopted.

Also:

By Mr. Smith (C):

H. J. R. 58. CONGRATULATING THE SHELBY COUNTY NEWS, AWARD RECIPIENT OF THE ALABAMA PRESS ASSOCIATION.

WHEREAS, for outstanding journalism, The Shelby County News has been named by the Alabama Press Association as one of the top weekly newspapers in the state; a total of four awards were presented to The News during APA's recent Better Newspaper Contest Awards Banquet held at the Convention Center in Gulf Shores, Alabama; and

WHEREAS, The News was cited in three categories, capturing first place awards for Best Sports Pages and for Best Original Column, second place in the Best News Story category and a third place award also for Best Original Column; entries were judged in competition with more than 1300 submissions from over 80 Alabama newspapers and based on all issues printed in 1977; and

WHEREAS, these four prestigious awards are but the latest captured by The Shelby County News as this outstanding weekly newspaper has been honored by the Alabama Press Association on numerous occasions in previous years; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend The Shelby County News for outstanding journalism as so recognized by the Alabama Press Association during its recent Better Newspaper Contest.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. B. L. Howard, General Manager, on behalf of the entire staff of The Shelby County News.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 58, was adopted.

Also:

By Mr. Smith (C):

H. J. R. 59. COMMENDING MR. FRED COOPER, COLUMNIST WITH THE SHELBY NEWS.

WHEREAS, having learned the results of the Alabama Press Association's recent Better Newspaper Contest, the Alabama Legislature extends congratulations to columnist Fred Cooper who writes Cooper's Corner which appears in each edition of The Shelby County News and which column won both first and third place awards in the Best Original Column category in this prestigious annual competition; and

WHEREAS, according to APA, Mr. Cooper, judged by a panel from the Mississippi Press Association, was the first person ever to win two awards in this category in the same year; competition was among all weekly newspapers in the State of Alabama; and

WHEREAS, Fred Cooper, who is a native of Montgomery and a graduate of the University of Montevallo, has been associated with The News since November of 1976; the style and originality of his columns were praised by the judges who further commented on Cooper's rare ability to handle both humorous and serious subject matters equally well; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily congratulate columnist Fred Cooper as the recipient of two Alabama Press Association awards for outstanding journalism; we express genuine admiration of his exceptional talent and ability and direct that he receive a copy of this resolution as a token of our esteem.

On motion of Mr. Smith (C), the rules were suspended and the resolution, H. J. R. 59, was adopted.

Also:

By Mr. Dial:

H. J. R. 60. COMMENDING MISS JULIE HOUSTON, MISS ALABAMA 1977.

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WHEREAS, the Legislature of Alabama notes with pleased accord that Miss Julie Houston of Heflin, Cleburne County, Alabama, is our "Miss Alabama" for 1977, chosen over 2,000 other young ladies to represent us at Alabama's best; and

WHEREAS, the lovely Miss Houston is a graduate of Cleburne County High School where she was a varsity cheerleader and was a member of the National Honor Society and Who's Who in American High School Students; she is also a 1976 graduate of Jacksonville State University named to the Dean's List for seven consecutive semesters; and

WHEREAS, while at Jacksonville State, where she also was a cheerleader, Miss Houston was elected Miss Jacksonville State, Alpha Tau Omega Little Sister, Sophomore Class Beauty, and "Miss Tiger," 1973; she further was a member of Who's Who in American Colleges and Universities and Zeta Tau Alpha Sorority; and

WHEREAS, she is the recipient of numerous other awards and honors including the titles of Alabama Farm Bureau Queen 1976, and Alabama's Bicentennial Belle, and was named National Outstanding Young Woman of the Year; she further is a multi-talented musician, Organist for Chulafinnee Baptist Church and serves as Counselor for the Cleburne County Youth Camp; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, with deep pride and pleasure, we congratulate Miss Julie Houston, Miss Alabama 1977, commending her most highly on her outstanding talent and many accomplishments, while praising her beauty and charm.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Miss Houston and to her justifiably proud parents, Mr. and Mrs. Charles L. Houston of Heflin, as evidence of our high praise and esteem.

On motion of Mr. Dial, the rules were suspended and the resolution, H. J. R. 60, was adopted.

Also;

By Mr. Dial:

H. J. R. 61. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

WHEREAS, the Legislature of Alabama is pleased to note that the Rural Development Committee from Cleburne County was named Outstanding Alabama Rural Development Committee for 1977 at award ceremonies on March 14, 1978, in Montgomery, Alabama; and

WHEREAS, during 1977, the Cleburne County Committee, led by Billy Ed Coefield of Heflin, helped to improve School-Community relations by involving students with committee work, completed one county water project and started another, and also prepared a brochure to promote industrial development in the county; and

WHEREAS, the award-winning committee further worked to improve recreational areas, and senior citizens benefitted from an Aging and Nutrition program conducted by committee members and workers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, in praise and acclamation, we

most highly commend the Rural Development Committee from Cleburne County on being named Outstanding Alabama Rural Development Committee for 1977.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Chairman Billy Ed Coefield that he and his committee may know of our praise and appreciation for their efforts on behalf of all citizens of Cleburne County.

On motion of Mr. Dial, the rules were suspended and the resolution, H. J. R. 61, was adopted.

Also:

By Mr. Dial;

H. J. R. 62. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLAY COUNTY.

WHEREAS, the Legislature of Alabama is pleased to note that the Rural Development Committee from Clay County was named Outstanding Alabama Rural Development Committee for 1977 at award ceremonies on March 14, 1978, in Montgomery, Alabama; and

WHEREAS, during 1977, the Clay County Committee, led by Judge Charles W. Carpenter of Lineville, placed emphasis on health programs in the county with a series of classes on hypertension, and a series on cardiovascular risk factors, designed to help Clay County citizens become more aware of these conditions; a Cancer Detection Clinic was also held in keeping with the county's emphasis on health care and preventive measures; and

WHEREAS, further, through the efforts of this award-winning committee, land was purchased for an industrial park in Lineville, a public water system was planned for the community of Hollins, and a comprehensive plan for Clay County was prepared and adopted; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, in praise and acclamation, we most highly commend the Rural Development Committee from Clay County on being named Outstanding Alabama Rural Development Committee for 1977.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Judge Charles W. Carpenter, Chairman, that he and his committee may know of our praise and appreciation for their efforts on behalf of all citizens of Clay County.

On motion of Mr. Dial, the rules were suspended and the resolution, H. J. R. 62, was adopted.

ADJOURNMENT

On motion of Mr. Manley and pursuant to the resolution, H. R. 51, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Friday, August 4, 1978.

Yeas 44; Nays 29.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Buskey, Callahan, Carothers, Coburn, Cooper, Crawford, Cross, Drake, Goodwin, Hall, Harri-

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son, Hilliard, Hopping, Howard, Jackson (R), Johnson, Kennedy, Langford, Leonard, Lockett, Manley, Moore (W), Pegues, Quarles, Roberts, Robertson, Sasser, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Towns, Waggoner, Ward, Whatley, Williams and Wyatt.

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Nays:

Messrs.: Albright, Carter, Cates, Clark, Crowe, Dial, Glass, Gregg, Harris, Hill, Jackson (F), Johnstone, Killian, Kinsey, Lee, Lutz, McCluskey, McNees, Mitchem, Morris, Naramore, Owens, Plaster, Ray, Sandusky, Smith (C), Turnham, Venable and Younce.

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FIFTH DAY

House of Representatives

Montgomery, Alabama

Friday, August 4, 1978

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by The Reverend Jack Holland, Dexter Avenue United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Manley:

H. R. 63. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special and paramount order of business for Friday, August 4, 1978, taking precedence over any other business of the House;

Uncontested local bills

S. B. 1 Page 32 School Bond Bill
S. B. 56 Page 31 Education Budget Bill
S. B. 50 Page 34 Supplemental appropriation to Pension & Securities

On motion of Mr. Manley, the rules were suspended and the resolution, H. R. 63, was adopted.

BILLS ON THIRD READING

And the bill:

H. 188. To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Campbell, Cates, Cooper, Cross, Crowe, Gafford, Glass, Hall, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Shoemaker, Smith (B), Smith (C), Smith (J), Sparks, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Weeks, Whatley, White, Wyatt and Younce.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 190. To extend, alter and rearrange the boundaries and corporate limits of the City of Decatur, a municipal corporation in the State of Alabama so as to include within the corporate limits of the City of Decatur certain adjacent territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Campbell, Cates, Cooper, Cross, Crowe, Glass, Gregg, Hall, Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Weeks, White, Williams, Wyatt and Younce.

—56

And the bill:

H. 191. Relating to Macon County; to provide further for the compensation of the county superintendent of education, and prescribing certain duties for such superintendent.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Messrs.: Albright, Baker, Biddle, Campbell, Carothers, Clark, Cooper, Cross, Crowe, Edwards, Gafford, Glass, Holmes (D), Jackson (F), Johnstone, Jolly, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCulley, McMillan, Manley, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Robertson, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Thomas, Trammell, Waggoner, Ward, Weeks, Whatley, White and Williams.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 192. To amend Title 12, Chapter 19, Section 93 of the Code of Alabama 1975, so as to revise and establish fees and allowances paid to constables; to repeal conflicting statutes or provisions thereof; to provide for an effective date.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Messrs.: Albright, Baker, Biddle, Campbell, Clark, Cooper, Cross, Crowe, Gafford, Glass, Holmes (D), Jackson (F), Johnstone, Jolly, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Ward, Warren, Whatley, White and Williams.

—52

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.: Albright, Biddle, Callahan, Carothers, Cates, Clark, Cooper, Cross, Crowe, Edwards, Glass, Greer, Hall, Holmes (D), Jackson (F), Johnstone, Jolly, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Sasser, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Ward, Warren, Whatley, White, Williams and Younce.

—53

And the bill:

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccons and opossums in said County.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.: Baker, Campbell, Cooper, Cross, Glass, Greer, Hall, Holmes (D), Jackson (F), Johnstone, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Merrill, Naramore, Owens, Pegues, Plaster, Quarles, Sasser, Shelton, Shoemaker, Smith (C), Smith (M), Starkey, Trammell, Turnham, Warren and Whatley.

—34

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices

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in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.: Albright, Baker, Campbell, Carothers, Cates, Clark, Cooper, Cross, Crowe, Edwards, Glass, Greer, Hall, Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Venable, Ward, Warren, Whatley and Williams.

—53

And the bill:

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Was read a third time at length and passed.

Yeas 51; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Campbell, Carothers, Cates, Clark, Cooper, Cross, Glass, Goodwin, Greer, Hall, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley and Williams.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 59. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.: Albright, Baker, Campbell, Carothers, Carter, Cates, Clark, Cooper, Cross, Falkenburg, Glass, Goodwin, Greer, Holmes (D), Howard,

Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley and Williams.

—53

And the bill:

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Was read a third time at length and passed.

Yeas 54; Nays 1.

Yeas:

Messrs.: Albright, Baker, Biddle, Campbell, Carothers, Carter, Cates, Cooper, Glass, Goodwin, Greer, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Killian, Kinsey, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Owens, Plaster, Ray, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White and Williams.

—54

Nay: Mrs. Quarles.

—1

And the bill:

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Biddle, Carothers, Carter, Cates, Cooper, Cross, Dial, Drake, Gafford, Glass, Goodwin, Greer, Hall, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Plaster, Quarles, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, White, Williams, Wyatt and Younce.

—61

And the bill;

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Messrs.: Baker, Callahan, Carothers, Carter, Cates, Cooper, Cross, Dial, Drake, Falkenburg, Glass, Goodwin, Greer, Hines, Holmes (D), Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCulley, Mc-

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Culley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Turnham, Venable, Waggoner, Ward, Warren, Whatley and Williams.

—54

And the bill:

S. 74. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.: Baker, Carothers, Carter, Cates, Cross, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Killian, Kinsey, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Naramore, Plaster, Quarles, Ray, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Whatley, White, Williams and Wyatt.

—56

And the bill:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Carothers, Carter, Cates, Cooper, Cross, Dial, Drake, Gafford, Glass, Greer, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Jolly, Killian, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Ward, Warren, Whatley, White, Williams and Wyatt.

—58

And the bill:

H. 82. To provide for regulation and retroactive adjustment of expense allowances for the district attorney for the Fifth Judicial Circuit in amounts equal to those already provided for the circuit judges; to provide that the provisions of this Act shall be retroactive to January 18, 1977.

Was taken up.

AMENDMENT OFFERED

Mr. Morris offered the following amendment to the bill, H. 82:

Amend H. B. 82 line 16 after the semi-colon by striking the rest of that line and line 17. Further strike Section 3.

AMENDMENT ADOPTED

Yeas 49; Nays 0.

Yeas:

Messrs.: Albright, Baker, Campbell, Carothers, Cates, Cooper, Dial, Falkenburg, Glass, Goodwin, Greer, Hall, Hines, Holmes (D), Howard, Jackson (F), Johnstone, Kelley, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Naramore, Pegues, Quarles, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Starkey, Thomas, Turnham, Venable, Ward, Warren, Whatley, Williams, Wyatt and Younce.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 82 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Messrs.: Albright, Baker, Carothers, Carter, Cates, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hines, Holmes (D), Hopping, Howard, Jackson (F), Johnstone, Kelley, Killian, Kinsey, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Quarles, Ray, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Starkey, Thomas, Turnham, Venable, Weeks, Whatley, White, Williams, Wyatt and Younce.

—57

And the bill:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Was taken up.

AMENDMENT OFFERED

Mr. Harris offered the following amendment to the bill, S. 41:

Amend Senate Bill 41 substitute on page 7, Article II, Section 1, by striking the words: "and presiding Municipal Court Judge of the city of Montgomery" wherever appearing and inserting in lieu thereof the following: "and the District Attorney of the 15th Judicial Circuit"

Further amend on page 7, Article II, Section 1, line 23 by adding the following: "The Commission or its members shall be defended in any litigation brought against them, while acting in their official capacity, shall be defended by the District Attorney of the 15th Judicial Circuit. Any city, county, state or federal government or its agencies may appropriate, grant or disperse funds to the Commission."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Messrs.: Albright, Armstrong, Baker, Barron, Campbell, Carothers, Cooper, Cross, Glass, Greer, Hall, Harris, Hines, Howard, Jackson (F), Jolly, Kelley, Kennedy, Killian, Langford, Lockett, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Starkey, Thomas, Turnham, Venable, Weeks, Whatley and Wyatt.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Wyatt offered the following amendment No. 1 to the bill, S. 41 as amended:

Amend Senate Bill 41, substitute on page 11, Section 13, lines 17 through 21, to read: "to the Circuit Court of Montgomery County.

AMENDMENT TABLED

On motion of Mr. Barron, the amendment offered by Mr. Wyatt to the bill, S. 41 as amended, was tabled.

Yeas 3; Nays 2.

Yeas: Messrs. Barron, Langford and Plaster.

—3

Nays: Messrs. Harris and Wyatt.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT OFFERED

Mr. Wyatt offered the following amendment No. 2 to the bill, S. 41 as amended:

Amend Senate Bill 41, substitute on page 8, line 6, to read: "(1) Is nineteen years of age."

MOTION TO TABLE LOST

The motion offered by Mr. Barron to table the amendment No. 2 offered by Mr. Wyatt to the bill, S. 41 as amended, was lost.

Yeas 2; Nays 3.

Yeas: Messrs. Barron and Langford.

—2

Nays: Messrs. Harris, Plaster and Wyatt.

—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment No. 2 offered by Mr. Wyatt to the bill, S. 41 as amended, and the amendment was adopted.

Yeas 3; Nays 2.

Yeas: Messrs. Harris, Plaster and Wyatt. —3

Nays: Messrs. Barron and Langford. —2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 41 as thus amended, was read a third time at length and passed.

Yeas 11; Nays 0.

Yeas:

Messrs.: Barron, Greer, Harris, Hill, Howard, Langford, Mitchem, Plaster, Sasser, Weeks and Wyatt.

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mrs. Quarles, the rules were suspended in order to take up out of order the bill, H. 125.

And the bill:

H. 125. To name the new Moody High School in St. Clair County, the "Roy and Vera B. Gibson High School."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Campbell, Coburn, Cooper, Cross, Edwards, Glass, Goodwin, Greer, Hall, Hill, Holmes (D), Jackson (F), Johnstone, Killian, Lee, Lockett, McCulley, McNeas, Martin, Merrill, Mitchem, Moore (O), Naramore, Quarles, Reed, Roberts, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Trammell, Turnham, Ward, Weeks, Whatley and Younce.

—42

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Mitchell:

S. 46. To exempt the Hi-Pine Water and Fire Protection Authority in Crenshaw County, Alabama, from the provisions of Section 40-21-82 of the Code of Alabama 1975, which levies a certain tax on the gross receipts and gross sales of certain utilities.

Also:

By Mr. Mitchell:

S. 88. To amend Section 40-6-3 of the Code of Alabama 1975, as amended, so as to provide further for the compensation of supernumerary tax collectors, tax assessors and license commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

Also:

By Mr. Mitchell:

S. 45. To require certain minimum deposits into a trust fund of proceeds from sales of grave space in an endowment or perpetual care cemetery; to require a minimum deposit into an irrevocable trust fund by any person establishing endowment or perpetual care cemeteries after the effective date of this Act; to provide for certain contractual provisions; to provide for the supervision and control of such trust funds; to provide for penalties for violation; to provide for enforcement and supervision by the district attorneys of the several judicial circuits; to provide for the recording of certain reports in the several probate courts; to provide for licenses to be obtained from the probate judge; and for related purposes.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows;

- S. 46. Local Legislation No. 1.
- S. 88. Ways and Means.
- S. 45. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Fine, Ellis, King, Peden, Adams, Baker, Bank, Clemon, wards, Foshee, Gilmore, Goodwin, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca, Waldrop and Wilson:

S. J. R. 30. EXPRESSING INTENT OF THE LEGISLATURE AS TO CERTAIN SALARY INCREASES GRANTED TO CERTAIN EMPLOYEES AND CERTAIN EMPLOYEES OF CITY AND COUNTY BOARDS OF EDUCATION BY ACT NO. 637, H. 482, 1977 REGULAR SESSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the salary increases provided to certain school employees and certain employees of county and city boards of education by section 3. A. 16 (ii) of Act No. 637, H. 482, 1977 Regular Session (Acts of Alabama 1977, p. 1040) were intended by this legislative body to be a continuing increase, which is supplemental to any salaries otherwise negotiated by such employees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Trammell offered the motion to suspend the rules and concur in and adopt the resolution, S. J. R. 30, set out in the above and foregoing Message from the Senate.

DIVISION OF THE QUESTION

Mr. Manley called for the Division of the Question and the call was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Trammell to suspend the rules in order to take up for immediate consideration the resolution, S. J. R. 30, and the motion was lost.

The resolution, S. J. R. 30 was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Goodwin, Shelby, Perry, Noonan, King, Powell, Adams, Gilmore, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Higginbotham, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Peden, Perloff, Proctor, Roberts, St. John, Stewart, Teague, Vacca, Waldrop and Wilson:

S. J. R. 21. MOURNING THE DEATH OF JESSE EUGENE LANIER, FORMER LONGTIME MAYOR OF BESSEMER, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Jesse Eugene Lanier in Birmingham, Alabama, on June 20, 1978, at the age of 69; and

WHEREAS, Mr. Lanier, a native of Lauderdale County, served as mayor of Bessemer, Alabama, for nearly two decades, having been first

elected in 1956 in a special election to fill the vacancy created by the death of Mayor Jap Bryant; he was to win the post four more times without a runoff, serving for a total of 18 years until 1974 at which time he chose not to run for re-election; and

WHEREAS, during his tenure, the City of Bessemer tripled in size, city departments were upgraded and the citizens of Bessemer saw the face of their city change through urban renewal and new building construction; under the mayor's leadership, a new hospital, five new schools, a municipal golf course, three fire stations, a new police building and a new street department building all became realities, both monuments to progress and to the outstanding abilities and dedication to duty of Jesse Lanier, one of our state's most outstanding public servants; and

WHEREAS, Jess Lanier attended grammar and high schools in Decatur, was a graduate of Southern Military Academy in Greensboro and also attended both Birmingham Southern and Auburn Universities; during his school years, he lettered in football, baseball and basketball and later played semi-professional baseball for Decatur in the B-line League; and

WHEREAS, prior to public service, Mr. Lanier owned both a radio station and finance company in Bessemer and was president of the Bessemer Broadcasting Company; following his mayoralty, he served as lobbyist for the Alabama Road Builders Association; and

WHEREAS, active in civic affairs, Mayor Lanier served as chairman of the Board of Trustees of the Crippled Children's Clinic and Hospital; he was a Shriner, was elected Potentate of Zamora Temple in 1966 and also was an active and participating member of the First United Methodist Church of Bessemer; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSE THEREOF CONCURRING, That we deeply regret and are grievously saddened by the death of Jesse Eugene Lanier; we further extend our most heartfelt sympathy to his wife, Mrs. Odyce Virginia Lanier, and to their son and daughter, Jesse Lanier, Jr., and Mrs. Odyce Virginia Millsap, to whom copies of this resolution shall be sent as evidence of our shared sorrow in their great loss.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Armstrong, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 21, set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Armstrong, Trammell, Waggoner, Biddle, Howard and Morris:

H. J. R. 64. NAMING THE AUTO PARTS TRAINING CENTER AT BESSEMER STATE TECHNICAL COLLEGE, "LANIER AUTO PARTS TRAINING CENTER

WHEREAS, the late Jesse Eugene Lanier, who served for nearly two decades as the mayor of Bessemer, Alabama, was serving in that capacity in 1962 at the time Bessemer State Technical College was established; and

WHEREAS, Mayor Lanier, who was largely instrumental in the es-

tablishment of said institution, also served as the first chairman of the Advisory Council of Bessemer State Technical College and, as such, provided outstanding leadership during the school's early and formative years of development; and

WHEREAS, since that time, Bessemer State Technical College has grown to become the largest Technical College in the State of Alabama serving over 2200 students in technical training; and

WHEREAS, the recently completed Auto Parts Training Center, to be dedicated August 30, 1978, will serve specialized training for business and industry and will further stand as a monument to the continued progress of Bessemer State which had its beginning under the leadership of Mayor Lanier; and

WHEREAS, to honor the late Jesse Eugene Lanier, the College's Advisory Council has approved the designation of this facility as, "Lanier Auto Parts Training Center"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new Auto Parts Training Center at Bessemer State Technical College is hereby named and designated as, "Lanier Auto Parts Training Center."

BE IT FURTHER RESOLVED, That proper authorities are directed to cause appropriate signs and markers to be erected and maintained in so designating said facility as, "Lanier Auto Parts Training Center."

On motion of Mr. Armstrong, the rules were suspended and the resolution, H. J. R. 64, was adopted.

Also:

By Messrs. Johnson and Clark:

H. R. 65. DIRECTING THE ALCOHOLIC BEVERAGE CONTROL BOARD TO DILIGENTLY ENFORCE CERTAIN LICENSE REQUIREMENTS FOR RESTAURANTS.

WHEREAS, Alabama law is very definitive in the standards required to qualify a restaurant for liquor license and prohibits "open saloons"; and

WHEREAS, Section 28-3-1(13) of the Code of Alabama 1975, states that a "restaurant" must "habitually and principally" be used "for the purpose of providing food" and that certain seating and kitchen requirements must be adhered to; and

WHEREAS, in the change of ownership, and for other reasons, many establishments which formerly qualified for restaurant liquor licenses are now flagrantly ignoring the requirements for serving food, minimum seating and kitchen standards; and

WHEREAS, these requirements are not being enforced by the Alcoholic Beverage Control Board Enforcement Division in many instances, particularly in the Tuscaloosa area; and

WHEREAS, this abuse has lead to many unfortunate and obnoxious situations for the community; now therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That the Alcoholic Beverage Control Board Enforcement Division is hereby directed to see that the letter of the law is adhered to by licensees holding liquor licenses for restaurants and that the pro-

visions of Sections 28-3-1(13) and 28-3-162 of the Code of Alabama 1975, are complied with in the Tuscaloosa community.

BE IT FURTHER RESOLVED, That the Board shall diligently inspect and review all establishments holding restaurant liquor licenses to ascertain that the laws and regulations for such establishments are adhered to.

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send a copy of this resolution to the Director of the Alcoholic Beverage Control Board.

On motion of Mr. Johnson, the rules were suspended and the resolution, H. R. 65, was adopted.

Also:

By Messrs. Johnson, Howard and Reed:

H. R. 66. URGING THE COURTS TO LEAVE PARTLOW STATE SCHOOL IN TUSCALOOSA, ALABAMA, UNDER THE SUPERVISION OF THE MENTAL HEALTH BOARD.

WHEREAS, District Judge Frank M. Johnson is at the present time considering the appointment of a headmaster to assume the direction and supervision of Partlow State School in Tuscaloosa, Alabama, and is further considering the phasing out of said institution in favor of other treatment plans; and

WHEREAS, the Alabama House of Representatives feels that, during the last several years, unprecedented progress has been achieved in upgrading mental health care provided residents of Partlow and other similar institutions; and

WHEREAS, within the past four years, the Legislature has increased appropriations to the Mental Health Department some sixty percent, from 68 to 180 million dollars, indicative of its commitment to provide necessary funding; the Legislature also is fully and firmly committed in its support in every possible way of the Mental Health Department in its efforts to upgrade patient care; and

WHEREAS, all employees of the Mental Health Department are dedicated in their efforts to provide properly for those patients under their care; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we most respectfully request and urge the Courts to leave the control of Partlow State School in Tuscaloosa, Alabama, under the supervision of the Mental Health Board of the State of Alabama in support of said board's earnest and sincere efforts to continue to improve patient care provided at Partlow and at similar institutions.

BE IT FURTHER RESOLVED, That the Clerk of the House is directed to forward copies of this resolution to Judge Frank M. Johnson, to Mr. Taylor Hardin, Commissioner, and to Mr. James Geer of Tuscaloosa, member of the Mental Health Board.

On motion of Mr. Johnson, the rules were suspended and the resolution, H. R. 66, was adopted.

Also:

By Messrs. Turnham and Carothers:

H. J. R. 67. CREATING A JOINT LEGISLATIVE COMMITTEE ON ENERGY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint legislative committee which shall be known as the "joint legislative committee on energy." The committee shall function from the date of its appointment until such time as the house of representatives and the senate each adopt a concurrent resolution terminating the committee.

The joint committee shall be composed of nine members, four members from the senate appointed by the lieutenant governor and five members from the house of representatives appointed by the speaker of the house. The chairman shall be designated by the speaker in odd numbered years and by the lieutenant governor in even numbered years. The vice chairman shall be designated by the lieutenant governor in odd numbered years and by the speaker in even numbered years.

The joint committee shall employ such staff as it deems necessary to conduct its business pursuant to this resolution. The staff may be composed of a staff director and such technical, legal, clerical, and stenographic assistants as the chairman and vice chairman determine.

The joint committee shall have the following responsibilities and duties;

(a) examine the statutes, constitutional provisions, regulations and court decisions governing energy and recommend legislation or changes if any are found to be necessary to the legislature;

(b) continuously evaluate the energy policies and programs of the state;

(c) have the power to introduce bills and act as a committee of reference for bills affecting or relating to the energy activities of the state; and

(d) act in any capacity authorized by the speaker of the house and lieutenant governor.

The members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for use of the legislature. Provided, that the total expenditures of the committee shall not exceed \$5,000 per year.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 67, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Owen and Mims:

S. J. R. 29. URGING THE ALABAMA COMMISSIONER OF AGRICULTURE AND INDUSTRIES AND THE AUBURN COOPERATIVE EXTENSION SERVICE TO WORK WITH THE FEDERAL DRUG ADMINISTRATION TO STAMP OUT AFLATOXIN WHICH IS AFFECTING THE CORN CROP IN ALABAMA.

WHEREAS, the 1977 corn crop in Alabama was badly distressed by the presence of aflatoxin, a toxic mold which developed under last year's extreme drought conditions; regulations of the Federal Food and Drug Administration prohibit the interstate sale of any product containing an aflatoxin level of more than 20 parts per billion; and

WHEREAS, much of this year's crop, despite ideal growing conditions, is being rejected as a result of Federal Grain Inspection Service tests being conducted at the Alabama State Docks with the result that Alabama farmers are losing more than \$1,700 per average truckload rejected because of aflatoxin levels; and

WHEREAS, conflicting test results further raise the question as to the extent of infestation of this year's corn crop and as to the accuracy of some of the tests which have resulted in rejection; and

WHEREAS, the Alabama Legislature urges the Food and Drug Administration to issue permits to blend the 1978 corn crop so as to allow 100 parts per billion, for movement in interstate commerce, to be used in the feeding of certain animals; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we strongly urge the Commissioner of Agriculture and Industries and the Auburn Cooperative Extension Service to accurately determine the extent of aflatoxin infestation of this year's Alabama corn crop and to urge the Federal Drug Administration to accelerate this process so that Alabama's corn crop can be sold without more delay to our corn growers.

BE IT FURTHER RESOLVED, THAT copies of this resolution be sent to the Alabama Commissioner of Agriculture and Industries, the Director of the Auburn Cooperative Extension Service and to the Federal Food and Drug Administration in Washington, D. C.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Kinsey, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 29, set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Dial:

H. J. R. 68. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

WHEREAS, the Legislature of Alabama is pleased to note that the Rural Development Committee from Cleburne County was named Outstanding Alabama Rural Development Committee for 1977 at award ceremonies on March 14, 1978, in Montgomery, Alabama; and

WHEREAS, during 1977, the Cleburne County Committee, led by Billy Ed Coefield of Heflin and Mr. Joel Thompson helped to improve School-Community relations by involving students with committee work, completed one county water project and started another, and also prepared a brochure to promote industrial development in the county; and

WHEREAS, the award-winning committee further worked to improve recreational areas, and senior citizens benefitted from an Aging

and Nutrition program conducted by committee members and workers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That, in praise and acclamation, we most highly commend the Rural Development Committee from Cleburne County on being named Outstanding Alabama Rural Development Committee for 1977.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Chairman Billy Ed Coefield and Mr. Joel Thompson that this committee may know of our praise and appreciation for their efforts on behalf of all citizens of Cleburne County.

On motion of Mr. Dial, the rules were suspended and the resolution, H. J. R. 68, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Powell:

S. J. R. 6. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

By Mr. Jones:

S. J. R. 8. MOURNING THE TRAGIC DEATH OF MONTGOMERY POLICE OFFICER ROBERT C. USSERY.

Also:

By Messrs. Pearson, Clemon and McMillan:

S. J. R. 10. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

Also:

By Mr. Waldrop:

S. J. R. 14. COMMENDING DR. FRANK W. McCORKLE, PROMINENT GADSDEN PHYSICIAN.

Also:

By Mr. Waldrop:

S. J. R. 15. MOURNING THE DEATH OF MR. CLYDE A. DONEHOO.

Also:

By Mr. Waldrop:

S. J. R. 17. COMMENDING CHEROKEE COUNTY HIGH SCHOOL, 1978 STATE 3A TRACK CHAMPIONS.

Also:

By Mr. Owen:

S. J. R. 19. MOURNING THE DEATH OF MR. WALTER HAM-

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MOND, PROMINENT BALDWIN COUNTY BUSINESSMAN AND CIVIC LEADER.

SENATE MESSAGE

On motion of Mr. Wyatt, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 6, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Mr. Manley, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 8, S. J. R. 10, S. J. R. 14, S. J. R. 15, S. J. R. 17 and S. J. R. 19, the titles of which are set out in the above and foregoing Message from the Senate.

MCDOWELL LEE,
Secretary.

SPECIAL ORDER

The House then proceeded with the consideration of bills on the Special Order Calendar.

And the bill:

S. 1. (With Substitute) (With Amendment): To appropriate two hundred fifty million dollars (\$250,000,000) from the Alabama Special Educational Trust Fund, over a designated period, for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide how said monies shall be spent by the state board of education and the Alabama Commission on Higher Education.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million three hundred and twenty-five thousand (\$220,325,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political sub-

divisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. Wherever used in this Act, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

"1957 Act" means Act No. 499 enacted at the 1957 Regular Session of the Legislature.

"1959 Act" means Act No. 126 enacted at the 1959 Second Special Session of the Legislature, codified as Title 16, Chapter 15, Code of Alabama 1975.

"1965 Act" means Act No. 243 enacted at the 1965 First Special Session of the Legislature, codified as Title 16, Chapter 16, Code of Alabama 1975.

"1967 Act" means Act No. 403 enacted at the 1967 Regular Session of the Legislature.

"1969 Act" means Act No. 1031 enacted at the 1969 Regular Session of the Legislature.

"1971 Acts" means Act No. 94 enacted at the 1971 First Special Session of the Legislature, Act No. 2428 enacted at the 1971 Regular Session of the Legislature, and Act No. 56 enacted at the 1971 Second Special Session of the Legislature.

"1973 Act" means Act No. 1277 enacted at the 1973 Regular Session of the Legislature, as amended by Act No. 73 enacted at the 1975 Third Special Session of the Legislature and Act No. 1223 enacted at the 1975 Regular Session of the Legislature.

"Authority" means Alabama Public School and College Authority, a public corporation and instrumentality of the State that was organized and exists under the provisions of the 1965 Act.

"Board of Directors" means the board of directors of the Authority.

"Bonds" (except where that word is used with reference to bonds issued under another act), means those bonds, other than refunding bonds, issued under the provisions of this Act.

"Capital Improvements" means buildings containing classrooms, offices, libraries, laboratories, clinical or teaching facilities, and facilities for athletics, recreation and physical education, research facilities, related campus improvements and land as sites therefor, together with equipment therefor, and school buses. The term "Capital Improvement" does not include textbooks, office supplies, or school supplies used by the educational institutions listed in Section 2 of this Act, or any of their personnel or students.

"Legislature" means the Legislature of Alabama.

"Refunding Bonds" means those refunding bonds issued under the provisions of this Act.

"State" means the State of Alabama.

Nouns and pronouns when used in this Act shall be deemed to include both singular and plural and all applicable genders.

Section 2. Authorization to Issue Additional Bonds and Purposes Thereof. Alabama Public School and College Authority is hereby authorized to sell and issue its Bonds in the aggregate principal amount of two hundred and twenty million three hundred and twenty-five thousand dollars (\$220,325,000) for the construction, reconstruction, purchase, alteration, improvement, and equipment of any types of Capital Improvements for public educational purposes in the State, for senior colleges and universities, junior colleges, vocational-technical institutes, and elementary-secondary school systems and special schools, and including the cost of architectural services therefor and services rendered by building inspectors for periodic and final inspections thereof. The Bonds authorized in this Act to be issued by the Authority shall be in addition to all other bonds previously authorized to be issued by it.

Section 3. Execution and Other Details of the Bonds. The Bonds shall be executed, sealed and attested, shall with the interest thereon be exempt from all taxation in the State, may be used as security for deposits, shall be construed to be negotiable instruments, and shall be eligible for investments of fiduciary funds, all as is provided in the 1965 Act. All Bonds bearing signatures or facsimiles of the signatures of officers of the Authority in office in the date of signing thereof shall be valid and binding notwithstanding that before the delivery thereof and payment therefor, any officer whose signature appears thereon shall have ceased to be an officer of the Authority. The Bonds shall be in such form or forms and denomination or denominations and of such tenor and maturities, shall bear such rate or rates of interest payable and evidenced in such manner, may be made subject to redemption prior to their maturities, and may contain provisions not inconsistent with this Act, all as may be provided by the resolution of the Board of Directors under which the Bonds may be issued; provided, that no Bonds shall have a specified maturity date later than twenty years after their date; and provided further, that those Bonds having maturities more than ten years after their date shall be subject to redemption at the option of the Authority on any interest payment date on and after the tenth anniversary after their date at such redemption price and under such conditions as may be prescribed in the proceedings of the Authority under which they are issued.

Section 4. Sale of the Bonds. The Bonds may be sold by the Authority from time to time in series, and if sold in more than one series, may all be authorized in one initial resolution of the Board of Directors with the pledges therefor made by the Authority in such initial resolution although some of the details applicable to each series may be specified in the respective resolutions under which the different series are issued. Each series of the Bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the Authority for the series of the Bonds being sold, computed from the date of those at the time being sold to their respective maturities and taking into account any premium named in the bid therefor; provided, that if no bid acceptable to the Authority is received it may reject all bids. Before any series of the Bonds shall be offered for sale by the Authority, the Governor of Alabama shall first determine that the issuance of that series of Bonds and the application of

the taxes pledged to the payment of the principal of the Bonds as they mature and interest thereon as it comes due will not impair the adequacy of the Alabama Special Educational Trust Fund to pay appropriations therefrom and to support the public schools and institutions of higher learning during the period over which the Bonds will mature. The Governor's determination shall be in writing signed by the Governor and that determination shall be final and conclusive. Notice of each sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State which is customarily published not less often than five days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Board of Directors may fix the terms and conditions under which each sale may be held; provided, that none of the Bonds may be sold for a price less than the face value thereof; and provided further, that the terms and conditions shall not conflict with any of the requirements of this Act. Approval by the Governor of Alabama of the terms and conditions under which any Bonds may be issued shall be requisite to their validity. Neither a public hearing nor consent of the State Department of Finance or any other department or agency shall be a prerequisite to the issuance of any of the Bonds.

Section 5. Appropriation of Revenues to the Authority; Pledge Thereof for the Benefit of the Bonds. For the purpose of providing for payment of the principal of and interest on the Bonds and to accomplish the objects of this Act, there is hereby irrevocably pledged to those purposes, and hereby appropriated, the amount that may be necessary for those purposes from the following sources:

(a) The residue of the receipts from the excise tax ("the utilities gross receipts tax") levied by Title 40, Chapter 21, Article 3, Code of Alabama 1975, as amended ("Article 3"), remaining after payment of the expenses of administration and enforcement of Article 3, being that portion of the tax that is required by Article 3 to be deposited in the State treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(b) The residue of the receipts from the excise tax ("the utilities use tax") levied by Title 40, Chapter 21, Article 4, Code of Alabama 1975 ("Article 4"), remaining after payment of the expenses of administration and enforcement of Article 4, being that portion of the tax that is required by Article 4 to be deposited in the State treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(c) The residue of the receipts from the license tax ("the lease tax") levied on those engaging in the business of leasing or renting tangible personal property levied by Title 40, Chapter 12, Article 4, Code of Alabama 1975 ("Chapter 12, Article 4"), remaining after payment of the expenses of administration and enforcement of Chapter 12, Article 4, being that portion of the tax that is required by Chapter 12, Article 4 to be deposited in the State treasury to the credit of the Alabama Special Educational Trust Fund, after there shall have been taken from the residue the amount necessary to pay at their respective maturities

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the principal of and interest on those bonds issued by the Authority under the 1971 Acts or the 1973 Act that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein;

(d) To the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b), and (c) of this Section may not be sufficient to pay at their respective maturities the principal of and interest on the Bonds, the residue of the receipts from the excise tax ("the sales tax") levied by Title 40, Chapter 23, Article 1, Division 1, Code of Alabama 1975, as amended ("Article 1"), after there shall have been taken from the residue the amounts appropriated for other educational purposes in Section 40-23-35, Code of Alabama 1975 (which residue constitutes that portion of the receipts from the sales tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the residue amounts sufficient to meet all prior charges on the residue including such amounts as may be necessary to pay at their respective maturities the principal of and interest on those of the following bonds that may be outstanding at the time of the delivery of the respective series of the Bonds authorized herein: (1) those bonds issued by the State under the 1957 Act; (2) those bonds issued by Alabama Education Authority under the 1959 Act; (3) those bonds issued by the Authority under any of the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, or the 1973 Act; and

(e) To the extent and to the extent only that the revenues appropriated in the foregoing subsections (a), (b), (c), and (d) of this Section may not be sufficient to pay at their respective maturities the principal of and interest on the Bonds, the residue of the receipts from the excise tax ("the use tax") levied by Title 40, Chapter 23, Article 2, Code of Alabama 1975, as amended ("Article 2"), after there shall have been taken from the residue the amount necessary to meet the expenses of the State Department of Revenue in collecting the use tax (which residue constitutes that portion of the receipts from the use tax that is now required by law to be paid into the Alabama Special Educational Trust Fund), and after there shall have been taken from the residue such amounts as may be necessary to meet all prior charges on the use tax including the amounts sufficient to pay at their respective maturities the principal of and interest on those outstanding bonds referred to in clauses (1), (2), and (3) of subsection (d) of this Section.

All monies hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and interest on the Bonds. The State Treasurer is authorized and directed to pay at their respective maturities the principal of and interest on the Bonds out of this fund and out of the residues of the tax receipts herein appropriated and pledged for the benefit of the Bonds and he is authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 6. Bonds to be Payable Solely Out of Revenues Appropriated; Authorization for Authority to Pledge Such Revenues for the Bonds. The Bonds shall not be general obligations of the Authority and shall be limited obligations payable solely out of the residues of the tax receipts appropriated and pledged in Section 5 of this Act. All Bonds issued by the Authority pursuant to the provisions of this Act shall be solely and exclusively obligations of the Authority and shall not constitute or create an obligation or debt of the State. As security for the payment of the principal of and interest on the Bonds, the Authority is hereby authorized and empowered to pledge for payment of the principal of and interest on the Bonds the residues of the tax receipts that are appropriated and pledged in Section 5 hereof for payment of the principal and interest. All such pledges made by the Authority shall

take precedence in the order of the adoption of the resolutions containing the pledges. All such pledges shall be prior and superior to any pledges that may be made for any Refunding Bonds hereafter issued by Alabama Education Authority under the provisions of the 1959 Act or by the Authority under the provisions of any of the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, the 1973 Act, or any other act heretofore enacted.

Section 7. Refunding Bonds. For the purpose of refunding any Bonds, including Refunding Bonds, of the Authority issued under the provisions of this Act, the 1965 Act, the 1967 Act, the 1969 Act, the 1971 Acts, the 1973 Act or any other act previously enacted, or that were issued by Alabama Education Authority under the provisions of the 1959 Act (or any combination thereof), whether the refunding shall occur before, at or after the maturity of the Bonds refunded, and for the purpose of paying all premiums and expenses of the refunding (including attorneys' fees, costs of printing the Refunding Bonds, fiscal agents' fees, and accountants' fees), the Authority may from time to time sell and issue, at either public or private sale, Refunding Bonds in an aggregate principal amount not exceeding the sum of (a) the outstanding principal amount of the Bonds to be refunded, (b) the interest (accrued or to accrue) to the respective maturities of the Bonds to be refunded, or if the Bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the Bonds to be refunded to the date or dates on which they are to be called for redemption, (c) the amount of any redemption premium required, by the terms of the Bonds, to be paid as a condition to their redemption prior to their respective maturities, and (d) the amount of any expenses (actual or estimated) of such refunding. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on the Refunding Bonds issued under this Act and to accomplish the purposes of this Act, the Board of Directors of the Authority is hereby authorized to pledge irrevocably to those purposes, and there is hereby appropriated for those purposes, such amount as may be necessary for those purposes of the residues of the receipts from the excise taxes pledged and appropriated in subsections (a), (b), (c), (d), and (e) of Section 5 of this Act for the payment of the Bonds being refunded, any reserve or sinking funds established by the Authority, as well as revenues of the Authority from any other sources specified in the proceedings wherein the Refunding Bonds are authorized to be issued, and when so pledged in the proceedings of the Authority under which the Refunding Bonds are authorized that pledge shall constitute an irrevocable pledge of the excise tax revenues referred to, the reserve or sinking funds established by the Authority and any other revenues that may be pledged by the Authority in its proceedings. The excise tax revenues so pledged and appropriated in this Section may be held by the State Treasurer as treasurer of the Authority, in trust, or may be deposited by the State Treasurer in trust, or may be held in a sinking fund, on such terms as the State Treasurer shall approve, for investment in the manner provided in this Section for investment of the proceeds of Refunding Bonds. Pending the application of the proceeds of Refunding Bonds issued in accordance with this Section, the proceeds, together with investment earnings therefrom, and amounts in any sinking fund, together with investment earnings thereon, may be held by the State Treasurer as treasurer of the Authority in trust, or may be deposited by the State Treasurer in trust, on such terms as the State Treasurer shall approve, with a trustee or escrow agent, which trustee or escrow agent shall be a banking institution or trust company authorized to exercise trust powers in Alabama, for investment in direct general obligations of, or obligations the payment of the principal of

and interest on which are unconditionally guaranteed by the United States of America. The proceeds in any sinking fund shall be available, as provided by the Authority, for the payment of all or any part of the principal, interest, and redemption premium, if any, of the Bonds being refunded and of the Refunding Bonds, or any of them, as the Authority in its discretion shall prescribe. Proceeds of Refunding Bonds shall be so invested and applied as to assure that the principal, interest, and redemption premium, if any, on the Bonds being refunded shall be paid in full on their respective maturity, redemption, or interest payment dates. Refunding Bonds issued by the Authority shall not be general obligations of the Authority but shall be payable solely from the sources specified in this Act and in the proceedings wherein the Refunding Bonds are authorized to be issued. All Refunding Bonds issued by the Authority shall be solely and exclusively an obligation of the Authority and shall not create a debt of the State of Alabama. The faith and credit of the State of Alabama shall never be pledged for the payment of any Refunding Bonds issued by the Authority under this Act. The Authority may contract with respect to the safekeeping and application of the Refunding Bond proceeds and other funds included therewith and the income therefrom including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the State. All other provisions of this Act shall apply to the Refunding Bonds issued hereunder except (a) the limitation contained in Section 2 of this Act on the amount of Bonds that may be issued under this Act, and (b) the provisions of Section 8 of this Act. All pledges made in this Act, and all pledges made by the Authority pursuant to the provisions of this Act, for the benefit of Refunding Bonds issued under this Act shall take precedence in the order of the adoption of the resolutions authorizing the issuance of the Refunding Bonds.

Section 8. Use of Bond Proceeds. The proceeds derived from each sale of the Bonds shall be deposited in the State Treasury and shall be carried in a separate fund therein for the account of the Authority, which shall pay therefrom the expenses of issuance thereof. The expenses of issuance of the Bonds shall be prorated among the recipients listed in this Act of the proceeds from the sale of the Bonds in the proportions they receive allocations of the proceeds hereunder. The proceeds from the sale of the Bonds remaining after payment of the expenses of issuance thereof shall be retained in the fund and paid out from time to time on orders or warrants issued by or on the direction of the Authority for any one or more of the purposes specified in Section 2 of this Act that may be deemed by the Authority to be most advantageous to the State, and the proceeds shall be used solely for those purposes and shall be allocated and expended by the Authority in the amount set out as follows:

(a) Fifty-nine million dollars (\$59,000,000.00) to senior colleges and universities to be distributed as follows:

(1) \$8,468,537.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Tuscaloosa campus;

(2) \$8,176,368.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Birmingham campus;

(3) \$3,529,812.00 of the proceeds shall be distributed to the Board of Trustees of the University of Alabama to be used at its Huntsville campus;

(4) \$8,695,286.00 of the proceeds shall be distributed to Auburn University;

(5) \$2,690,714.00 of the proceeds shall be distributed to Auburn University at Montgomery;

(6) \$4,055,634.00 of the proceeds shall be distributed to the University of South Alabama;

(7) \$2,952,994.00 of the proceeds shall be distributed to the University of Montevallo;

(8) \$3,612,972.00 of the proceeds shall be distributed to the University of North Alabama;

(9) \$3,713,318.00 of the proceeds shall be distributed to Jacksonville State University;

(10) \$2,418,932.00 of the proceeds shall be distributed to Livingston University;

(11) \$3,770,422.00 of the proceeds shall be distributed to Troy State University;

(12) \$2,968,039.00 of the proceeds shall be distributed to Alabama Agricultural and Mechanical University;

(13) \$2,946,972.00 of the proceeds shall be distributed to Alabama State University;

(14) \$1,000,000.00 of the proceeds shall be distributed to Athens State College;

(b) Twenty-seven million five hundred thirty-five thousand dollars (\$27,535,000.00) to junior colleges and vocational-technical institutes to be distributed as follows:

| | |
|--|------------|
| 1. Alexander City State Junior College | \$ 618,980 |
| 2. S. D. Bishop State Junior College | 723,126 |
| 3. Brewer State Junior College | 661,511 |
| 4. John C. Calhoun State Tech. Jr. Col. | 948,814 |
| 5. Jefferson Davis State Jr. Col. | 487,571 |
| 6. Enterprise State Junior Col. | 696,135 |
| 7. Faulkner State Jr. Col. | 735,940 |
| 8. Gadsden State Jr. Col. | 1,187,692 |
| 9. Patrick Henry State Jr. Col. | 492,479 |
| 10. Jefferson State Jr. Col. | 1,669,980 |
| 11. T. A. Lawson State Jr. Col. | 1,581,305 |
| 12. Northeast Alabama State Jr. Col. | 745,209 |
| 13. Northwest Alabama State Jr. Col. | 515,653 |
| 14. Snead State Junior College | 613,255 |

(Any proceeds allocated to this junior college may be used to redeem or repay presently outstanding debts or bonds issued or incurred for the

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purpose of providing educational or dormitory facilities for the junior college.)

| | |
|---|---------|
| 15. Southern Union State Jr. Col. | 649,515 |
| 16. George C. Wallace State Tech. Jr. Col., Dothan | 540,410 |
| 17. George C. Wallace State Jr. Col., Selma | 438,718 |
| 18. Lurleen B. Wallace State Jr. Col. | 509,382 |
| 19. Alabama Institute of Aviation Tech. | 414,507 |
| 20. Alabama Technical College—Gadsden | 509,927 |
| 21. Ayers State Technical College | 435,771 |
| 22. Bessemer State Technical College | 635,066 |
| 23. Calhoun State Tech. Trade School | 322,031 |
| 24. Carver State Tech. Trade School | 394,331 |
| 25. Drake State Technical College | 479,865 |
| 26. Gadsden State Technical Inst. | 357,253 |
| 27. Hobson State Technical Inst. | 404,964 |
| 28. MacArthur State Tech. Col. | 456,219 |
| 29. Muscle Shoals Tech. Inst. | 453,220 |
| 30. Northwest Alabama State Tech. Col. | 437,952 |
| 31. Nunnelley State Tech. Inst. | 424,321 |
| 32. Opelika State Technical Col. | 454,310 |
| 33. Patterson State Tech. Col. | 486,753 |
| 34. Reid State Technical Col. | 395,421 |
| 35. Shelton State Technical Col. | 472,304 |
| 36. Sparks State Technical Inst. | 367,068 |
| 37. Southwest State Tech. Col. | 487,571 |
| 38. Trenholm State Trade School | 402,237 |
| 39. Walker County State Trade School | 422,412 |
| 40. Wallace State Tech. Trade School, Dothan | 383,919 |
| 41. Wallace State Tech. Inst., Hanceville | 307,309 |
| 42. Wallace State Tech. Inst., Selma | 260,689 |
| 43. Atmore Technical College | 376,337 |
| 44. Ingram State Technical Institute | 395,149 |
| 45. Regional Technical Institute | 285,000 |
| 46. George C. Wallace State Jr. College, Hanceville | 350,385 |
| 47. Talladega Voc. School for Deaf | 500,000 |
| 48. Chattahoochee Valley State Jr. Col. | 818,820 |

| | |
|--|---------|
| 49. Fredd State Technical College | 391,332 |
| 50. Lawson State Technical Institute | 437,082 |

(c) One hundred fourteen million seven hundred fifty thousand dollars (\$114,750,000.00) for elementary-secondary school systems to be distributed as follows:

(1) One hundred thousand dollars (\$100,000.00) shall be paid to each city and county board of education. Provided, however, all of the money appropriated in this subsection for the Etowah County School System shall be allocated and appropriated for constructing and equipping a new middle school in Rainbow City. Provided, however, all of the money appropriated in this subsection for the Madison County School System shall be allocated and appropriated for renovation and improvement of the New Market School.

(2) Ninety-two million three hundred thousand dollars (\$92,300,000.00) shall be allocated and distributed to city and county boards of education, pro rata, on the basis of teacher units as determined in accordance with the minimum school program for the school year 1976-77.

(3) The residue from the \$114,750,000, after providing for costs of issuance of the Bonds and paragraphs (1) and (2) of this subsection shall be allocated and distributed to city and county boards of education in accordance with their special needs, as determined by the Authority, and shall be used for the purposes described in Section 2 of this Act. Provided, however, of the moneys allocated for the Gadsden Schools systems, \$250,000 shall be allocated to the construction of a new football stadium in East Gadsden. All of the money allocated to the Etowah County School system from this subsection shall be used for constructing and equipping a new middle school in Rainbow City.

(d) Two million eight hundred and twenty-five thousand (2,825,000) for repair and replacement of, and equipment for, public school buildings which have been destroyed by fire or natural disaster or where there exist critical needs, such amount to be allocated as follows:

| Boards of Education School | Amount |
|---|------------|
| 1. Gadsden City—General Forest School | \$ 275,000 |
| 2. Hartselle City—Morgan County Training School | 290,000 |
| 3. Lamar County—Vernon Vocational School | 15,000 |
| 4. Winfield City—Winfield Vocational School | 100,000 |
| 5. Midfield City—Midfield School | 200,000 |
| 6. Lawrence County—Chalybeate School | 240,000 |
| 7. Madison County—New Market School | 125,000 |
| 8. Marshall County—Boaz Middle School | 315,000 |
| 9. Mobile County—Prichard Middle School | 315,000 |
| 10. Randolph County—Folsom Junior High School | 300,000 |
| 11. Shelby County—Montevallo High School | 125,000 |
| 12. Shelby County—Vincent High School | 125,000 |
| 13. Cullman County—Baileyton School | 100,000 |

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| | |
|--|---------|
| 14. Tusculmbia City—Deshler Junior High School | 100,000 |
| 15. Macon County—Tuskegee Public School | 100,000 |
| 16. Bullock County—Merit Junior High School | 100,000 |

(e) Sixteen million two hundred fifteen thousand (\$16,215,000) to be allocated for special and critical needs as follows:

| | |
|---|-------------|
| 1. Alabama A & M University | \$1,700,000 |
| 2. Alabama State University | 600,000 |
| 3. Auburn University at Montgomery | 130,000 |
| 4. Troy State University | 750,000 |
| 5. Department of Youth Services (\$125,000 must be used to alter and improve the Harris Home in Huntsville) | 625,000 |
| 6. Marine Science Consortium | 150,000 |
| 7. University of Alabama in Birmingham Lab for training Public Health personnel | 870,000 |
| Spain Rehabilitation Center | 750,000 |
| Spain Lakeshore Center | 750,000 |
| End Stage Renal Disease | 750,000 |
| Art Center | 1,000,000 |
| Diabetes Clinic | 600,000 |
| 8. Alabama Aviation State Technical School | 450,000 |
| 9. Shelton State Technical School | 400,000 |
| 10. Brewer State Junior College | 400,000 |
| 11. Chattahooche Valley State Junior College | 1,650,000 |
| 12. Gadsden State Junior College | 1,000,000 |
| 13. P. Henry State Junior College | 200,000 |
| 14. Lawson State Junior College | 400,000 |
| 15. Southern Union State Junior College | 200,000 |
| 16. Wallace State Junior College, Dothan | 950,000 |
| 17. Wallace State Junior College, Hanceville | 1,840,000 |
| 18. Alabama Cooperative Extension Service Swine Demonstration Center at Headland | 50,000 |

(f) Each building constructed wholly or in part with any portion of the proceeds of the Bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs. The Authority may, from the proceeds of the Bonds allocated for the construction of a building, reimburse the Technical Staff for any expenses reasonably incurred by it in connection with its approval of the plans and specifications pertaining to that building.

Section 9. Severability. In the event any section, sentence, clause or provision of this Act shall be declared invalid by a court of competent jurisdiction, that action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this Act, which shall continue effective.

Section 10. Effective Date. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McNees, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, White, Williams, Wyatt and Younce.

—88

Nay: Messrs.: Campbell and Hall.

—2

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means to the bill, S. 1, said committee amendment being as follows:

Amend the Substitute for Senate Bill 1 in Section 8, Subsection (b), on page 16, line 2 item "47" by striking therefrom the words, viz; Talladega Voc. School for Deaf and inserting in lieu thereof the following words:

Alabama Institute for the Deaf and Blind

And the amendment was adopted.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Kelley, Killian, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Ward, Warren, Weeks, White, Williams, Wyatt and Younce.

—77

Nay: Messrs.: Hall and Reed.

—2

AMENDMENT OFFERED

Mr. Ford offered the following amendment No. 1 to the bill, S. 1 as amended:

Amend Substitute to S. B. 1, pages 17, Section 8, Subsection C (3), line 14, by striking after the word "Act" and before the word "All" the following:

Provided, however, of the moneys allocated for the Gadsden School Systems \$250,000 shall be allocated to the construction of a new football stadium in East Gadsden.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Baker, Biddle, Callahan, Carothers, Carter, Clark, Coburn, Cooper, Cross, Crowe, Dial, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Hill, Holley, Holmes (D), Hopping, Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lockett, Lutz, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Younce.

—67

AMENDMENT OFFERED

Mr. Ford offered the following amendment No. 2 to the bill, S. 1 as amended:

Amend S. B. 1, p. 18, Section 8, Subsection D, Line 5, by inserting after the number "100,000" and before the letter "(e)" the following:

to be distributed to the Board of Education of the City of Gadsden to be used (i) to pay the principal of any obligations incurred by the said board in the replacement or restoration and equipment of the General Forrest Jr. High which has been destroyed by fire, and (ii) to the extent not necessary for that purpose, to be expended for capital improvements for public educational purposes as a part of the City of Gadsden Public School System.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker, Albright, Baker, Biddle, Callahan, Carothers, Carter, Clark, Cooper, Cross, Crowe, Dial, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Hill, Holley, Holmes (D), Hopping, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCulley, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Whatley, White, Williams and Younce.

—68

And the bill, S. 1 as thus amended, was read a third time at length and passed.

Yeas 91; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—91

Nays: Messrs. Campbell and Hall.

—2

And the bill:

S. 56. (With Substitute) (With Amendment): To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases shall

be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3.

A. STATE AGENCIES

1. Council on the Arts and Humanities

| | |
|-----------------------------|---------|
| (a) Fine Arts Program | 914,098 |
|-----------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 300,000 | | |
| (2) Federal and Local Funds | | 614,098 | |
| Total Council on the Arts and Humanities | 300,000 | 614,098 | 914,098 |
| | | | 871,044 |

2. Debt Service

(a) For the payment of principal and interest due on bonds issued by the University of Alabama Research-Institute pursuant to Constitutional Amendment No. CLVII 211,300

(b) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated 45,000

| | |
|--|---------|
| For interest on Auburn University Endowment | 20,280 |
| For interest on University of Ala- bama Endowment | 61,000 |
| For interest on Grove Hill Endow- ment | 600 |
| For interest on Public School Fund Endowment: | |
| Interest on 16th Section lands, Esti- mated | 410,000 |
| Interest on School Indemnity lands, Estimated | 90,000 |
| Interest on Valueless 16th Section lands | 5,825 |
| Interest on Surplus plus Revenue | 26,764 |
| Interest on James Wallace Fund | 275 |
| Total | 659,744 |

SOURCE OF FUNDS:

| | | |
|--------------------------|---------|---------|
| (1) ASETF | 871,044 | |
| Total Debt Service | 871,044 | 871,044 |

3. Board of Dental Scholarship
Awards

| | |
|--|---------|
| (a) Support of Other Educational Activities Program | 228,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 228,000 | |
| Total Board of Dental Scholarship Awards | 228,000 | 228,000 |

(To be expended under the provi-
sions of Act No. 662, 1977 Reg-
ular Session.)

4. Department of Education

| | |
|-------------------------------------|-------------|
| (a) Financial Assistance Program .. | 227,074,395 |
|-------------------------------------|-------------|

The proposed spending plan for
the above is as follows:

| | |
|--|------------|
| Vocational Education and Other Financial Assistance Pro- grams | 48,503,717 |
|--|------------|

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(\$300,000 is to be used for Agri-
business Center)

SOURCE OF FUNDS:

| | | | |
|---|------------|-------------|-------------|
| (1) ASETF | 48,503,717 | | |
| (2) Federal and Local Funds | | 178,570,678 | |
| Total Financial Assistance Pro- gram | 48,503,717 | 178,570,678 | 227,074,395 |

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his pro-rata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

| | |
|---|-----------|
| (b) Instructional Technical Assis- tance Program | 7,231,665 |
|---|-----------|

The proposed spending plan for the
above is as follows:

| | |
|--|-----------|
| Civil Defense | 24,200 |
| Drug Education | 181,500 |
| Operation & Maintenance of De- partment | 331,681 |
| Right-to-Read | 85,000 |
| Career Education | 110,000 |
| Kindergarten Adm. | 85,000 |
| Minimum Program-Trainable Re- tarded Children | 524,307 |
| National Defense | 399,300 |
| Vocational Education | 1,466,673 |

Alabama Learning Resource
Center 60,000

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 3,267,661 | | |
| (2) Federal & Local Funds | | 3,964,004 | |
| Total Instructional Technical As- sistance Program | 3,267,661 | 3,964,004 | 7,231,665 |

(The appropriation for Minimum Program-Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program 11,182,190

The proposed spending plan for the above is as follows:

Coordination of In-School Tele-
vision 127,201

Driver Education, School Bus
Driver Training and Vehicle
Safety Inspection 371,289

Operation & Maintenance of De-
partment 337,490

Testing 425,000

Developing, Printing and
Publishing Legal & Policy
Manuals 5,000

Free Textbooks 8,602,500

Plans & Surveys 90,150

Facilities Survey 300,000

SOURCE OF FUNDS:

| | | | |
|---|------------|---------|------------|
| (1) ASETF | 10,258,630 | | |
| (2) Federal and Local Funds | | 923,560 | |
| Total Local Agency Support Pro- gram | 10,258,630 | 923,560 | 11,182,190 |

(d) Regulation Program 879,432

The proposed spending plan for the above is as follows:

Operation & Maintenance of De-
partment 349,199

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Teacher Certification & Accreditation 237,000

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|-----------|
| (1) ASETF | 586,199 | | |
| (2) Federal and Local Funds | | 293,233 | |
| Total Regulation Program | 586,199 | 293,233 | 879,432 |
| (e) Administrative Services Program | | | 8,478,141 |

The proposed spending plan for the above is as follows:

Compact for Education 20,750
 Operation & Maintenance of Department 1,600,043
 Telephone Revolving Fund 1,200,000

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 2,820,793 | | |
| (2) Federal and Local Funds | | 5,657,348 | |
| Total Administrative Services Program | 2,820,793 | 5,657,348 | 8,478,141 |
| (f) Adult Basic Education Program | | | 5,660,599 |

The proposed spending plan for the above is as follows:

Adult Basic Education 1,700,000
 Community Education 100,000
 Operation & Maintenance of Department 15,052

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 1,815,052 | | |
| (2) Federal and Local Funds | | 3,845,547 | |
| Total Adult Basic Education Program | 1,815,052 | 3,845,547 | 5,660,599 |
| (g) Continuing Education Program | | | 777,323 |

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department 20,862
 Administration of Private School Act 49,500

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF | 70,362 | | |
| (2) Federal and Local Funds | | 706,961 | |
| Total Continuing Education Program | 70,362 | 706,961 | 777,323 |
| (h) Administration of Post-Secondary Vocational-Technical Education Program | | | 9,243 |

The proposed spending plan for the above is as follows:

Operations & Maintenance of Dept. 9,243

SOURCE OF FUNDS:

| | | | |
|---|-------|--|-------|
| (1) ASETF | 9,243 | | |
| Total Admin. of Post-Secondary Vocational - Technical Education Program | 9,243 | | 9,243 |
| (i) Administration of Junior College School System Program | | | 9,243 |

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department 9,243

SOURCE OF FUNDS:

| | | | |
|--|-------|--|------------|
| (1) ASETF | 9,243 | | |
| Total Adm. of Junior College School System Program | 9,243 | | 9,243 |
| (j) Rehabilitation Services Program | | | 32,839,711 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|------------|------------|
| (1) ASETF | 7,097,000 | | |
| (2) Federal and Local Funds | | 25,742,711 | |
| Total Rehabilitation Services Program | 7,097,000 | 25,742,711 | 32,839,711 |

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division

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of Vocational Rehabilitation Services of the Dept. of Education.)

| | |
|------------------------------|---------|
| (k) Hemophilia Program | 300,000 |
|------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF | 300,000 | |
| Total Hemophilia Program | 300,000 | 300,000 |

(As provided for under Act 1181, 1975 Regular Session.)

| | |
|-----------------------------|-----------|
| (l) Homebound Program | 2,900,000 |
|-----------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------------|-----------|-----------|
| (1) ASETF | 2,900,000 | |
| Total Homebound Program | 2,900,000 | 2,900,000 |

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

| | |
|--|-----------|
| (m) Disability Determination for Social Security Program | 7,549,812 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) Federal and Local Funds | 7,549,812 | |
| Total Disability Determination for Social Security Program | 7,549,812 | 7,549,812 |

| | |
|--|-----------|
| (n) Crippled Children Services Program | 7,066,190 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 4,303,690 | |
| (2) Federal and Local Funds | 2,762,500 | |
| Total Crippled Children Services Program | 4,303,690 | 7,066,190 |

\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

| | |
|---|-----------|
| (o) Manpower Development and Employment | 5,894,844 |
|---|-----------|

The proposed spending plan for the above is as follows:

Operation & Maintenance of Department 17,958

Comprehensive Employment & Training 484,000

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 501,958 | | |
| (2) Federal and Local Funds | | 5,392,886 | |
| Total Manpower Development and Employment Opportunities Program | 501,958 | 5,392,886 | 5,894,844 |

| | | | |
|--|--|--|---------|
| (p) Planning and Coordination Services Program | | | 181,826 |
|--|--|--|---------|

The proposed spending plan for the above is as follows:

Southern Regional Educational Board 181,826

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 181,826 | | |
| Total Planning & Coordination Services Program | 181,826 | | 181,826 |

| | | | |
|---|--|--|--------|
| (q) Support of State Universities Program | | | 10,000 |
|---|--|--|--------|

The proposed spending plan for the above is as follows:

Education of Dependents of Blind Parents 10,000

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 10,000 | | |
| Total Support of State Universities Program | 10,000 | | 10,000 |

For reimbursement of every State Institution of Higher Learning, College, University, or Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session.

| | | | |
|--|--|--|-----------|
| (r) Emergency Medical Services Education Program | | | 1,500,000 |
|--|--|--|-----------|

To be distributed by the Department of Education as follows:

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| | |
|---|---------|
| (1) West Alabama Emergency Medical Services, Inc. | 307,000 |
| (2) Birmingham Regional Emergency Medical Services System .. | 292,000 |
| (3) North Alabama Emergency Medical Services, Inc. | 277,000 |
| (4) Southeast Alabama Emergency Medical Services Systems, Inc. .. | 277,000 |
| (5) East Alabama Emergency Medical Services, Inc. | 277,000 |
| (6) Southwest Alabama Emergency Medical Services Council, Inc. | 120,000 |

The amounts herein appropriated shall be used for the operation and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,500,000 | |
| Total Emergency Medical Service Education Program | 1,500,000 | 1,500,000 |

TOTAL DEPARTMENT OF
EDUCATION

SOURCE OF FUNDS:

| | | | |
|---|------------|-------------|-------------|
| (1) ASETF | 84,135,374 | | |
| (2) Federal and Local Funds | | 235,409,240 | |
| Grand Total Department of Education | 84,135,374 | 235,409,240 | 319,544,614 |

5. Examiners of Public Accounts

| | |
|--|-----------|
| (a) Legislative Support-Audit Services Program | 1,000,000 |
|--|-----------|

For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 1,000,000 | |
| Total Examiners of Public Accounts | 1,000,000 | 1,000,000 |

6. Alabama Film Commission

| | |
|---|--------|
| (a) Promotional Development Program | 70,000 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|---------------|---------------|
| (1) ASETF | 70,000 | |
| Total Alabama Film Commission .. | <u>70,000</u> | <u>70,000</u> |

7. Alabama School of Fine Arts

| | |
|-----------------------------|---------|
| (a) Fine Arts Program | 891,855 |
|-----------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|----------------|----------------|
| (1) ASETF | 800,000 | |
| (2) Federal and Local Funds | | 91,855 |
| Total Alabama School of Fine Arts | <u>800,000</u> | <u>91,855</u> |
| | | <u>891,855</u> |

8. Alabama Firefighters' Personnel Standards and Education Commission

| | |
|--|---------|
| (a) Professional and Occupational Licensing & Regulation Program | 150,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 150,000 | |
| Total Alabama Firefighters' Personnel Standards and Education Commission | <u>150,000</u> | <u>150,000</u> |

9. Health Department

| | |
|---|---------|
| (a) Health Support Services Program | 500,000 |
|---|---------|

For immunization of pre-school children and students and for public school food sanitation.

| | |
|---|---------|
| (b) For the Division of Maternal and Child Health | 200,000 |
|---|---------|

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

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SOURCE OF FUNDS:

| | | |
|-------------------------------|---------|---------|
| (1) ASETF | 700,000 | |
| Total Health Department | 700,000 | 700,000 |

10. Commission on Higher Education

| | | |
|---|--|-----------|
| (a) Planning & Coordination Services Program | | 462,430 |
| (b) Support of Other Educational Activities Program | | 2,538,800 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,725,400 | | |
| (2) Federal and Local Funds | | 1,275,830 | |
| Total Commission on Higher Education | 1,725,400 | 1,275,830 | 3,001,230 |

No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

| | |
|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | 542,891 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses | 57,000 | | |
| (2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended | | 485,891 | |
| Total Alabama Board of Nursing | 57,000 | 485,891 | 542,891 |

12. Alabama Historical Commission

| | |
|--|---------|
| (a) Historical Resource Management Program | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 100,000 | |
| Total Alabama Historical Commission | 100,000 | 100,000 |

13. Alabama Industrial Development Training Institute

(a) Industrial Training Program .. 1,885,752

SOURCE OF FUNDS:

(1) ASETF 1,885,752

Total Alabama Industrial Development Training Inst. 1,885,752 1,885,752

14. Junior College School System

(a) Academic Instruction and Institutional Support Program 67,848,063

SOURCE OF FUNDS:

(1) ASETF 39,550,000

(2) Federal and Local Funds 9,050,476

(3) State Funds 245,787

(4) Other Funds 19,001,800

Total Junior College School System 39,550,000 28,298,063 67,848,063

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

15. Alabama Law Institute

(a) Support of Other Educational Activities Program 199,000

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SOURCE OF FUNDS:

| | | |
|-----------------------------------|----------------|----------------|
| (1) ASETF | 199,000 | |
| Total Alabama Law Institute | <u>199,000</u> | <u>199,000</u> |

16. Legislature

| | | |
|--|--|-----------|
| (a) Legislative Operations & Support Program | | 1,000,000 |
|--|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------|------------------|------------------|
| (1) ASETF | 1,000,000 | |
| Total Legislature | <u>1,000,000</u> | <u>1,000,000</u> |

17. Public Library Service

| | | |
|---|--|-----------|
| (a) Public Library Services Program | | 3,782,066 |
|---|--|-----------|

SOURCE OF FUNDS:

| | | |
|--|------------------|------------------|
| (1) ASETF | 2,313,000 | |
| (2) ASETF for equipment purchases for physically handicapped and blind | 47,000 | |
| (3) ASETF for operation of facility | 390,000 | |
| (4) Federal and Local Funds | 1,032,066 | |
| Total Public Library Services | <u>2,750,000</u> | <u>1,032,066</u> |
| | | <u>3,782,066</u> |

18. Marine Environmental Sciences Consortium

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 778,750 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 568,750 | |
| (2) Federal and Local Funds | 60,000 | |
| (3) University of Alabama | 150,000 | |
| Total Marine Environmental Sciences Consortium | <u>568,750</u> | <u>210,000</u> |
| | | <u>778,750</u> |

19. Medical Scholarships Board

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 555,000 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|-----------------|----------------|--|
| (1) ASETF | <u>555,000</u> | |
|-----------------|----------------|--|

| | | |
|--------------------------------------|---------|---------|
| Total Medical Scholarship Board | 555,000 | 555,000 |
|--------------------------------------|---------|---------|

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program

| | |
|-------------------------------------|-------------|
| (a) Financial Assistance Program .. | 581,236,819 |
|-------------------------------------|-------------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|-------------|-------------|
| (1) ASETF | 556,560,334 | |
| (2) Public School Fund | | 20,000,000 |
| (3) Local Effort | | 4,676,485 |
| Total Minimum Program Fund | 556,560,334 | 581,236,819 |

(aa) To be distributed by the State Board of Education for:

| | |
|--|-------------|
| Local Boards | 484,910,244 |
| Board of Adjustment Awards | 150,000 |
| Teachers Sick Leave | 3,890,178 |
| Teachers Personal Leave | 1,296,726 |
| Hospital-Medical Insurance Assistance | 9,427,961 |
| Funds to Replace Fees | 10,488,225 |
| Maintenance | 6,000,000 |
| Sick Leave for Support Personnel .. | 800,000 |
| Additional for Special Education .. | 25,550,000 |
| Salary Increases for Lunchroom Workers | 7,747,000 |
| Insurance for Support Staff | 6,300,000 |

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of

funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-system units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P. L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P. L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approved plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are hereby provided for the phasing in of the kindergarten program during the

specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceeding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school.

With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to

the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan (s) and the carrier (s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate

carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases

shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificates. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

| | |
|---|---------|
| (a) Employment and Social Opportunities Program | 590,051 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 200,000 | | |
| (2) Federal and Local Funds | | 390,051 | |
| | | | |
| Total Alabama Occupational Information System | 200,000 | 390,051 | 590,051 |
| | | | |

22. Alabama Peace Officers Standards and Training Commission

| | |
|--|--------|
| (a) Professional and Occupational Licensing and Regulation Program | 80,000 |
|--|--------|

| | |
|--|---------|
| (b) Certified Law Enforcement Academy Programs | 246,200 |
|--|---------|

| | |
|-------------------------------------|--------|
| Jacksonville State University | 61,550 |
| University of Alabama | 61,550 |

James H. Faulkner Jr. Col. 61,550

Troy State Univ.
Montgomery 61,550

SOURCE OF FUNDS:

(1) ASETF 326,200

| | | |
|--|---------|---------|
| Total Alabama Peace Officers Standards and Training Com- mission | 326,200 | 326,200 |
|--|---------|---------|

23. Commission on Physical Fitness

(a) Advisory Services Program 83,000

SOURCE OF FUNDS:

(1) ASETF 83,000

| | | |
|---|--------|--------|
| Total Commission on Physical Fit- ness | 83,000 | 83,000 |
|---|--------|--------|

24. Post - Secondary Vocational -
Technical Education System(a) Instructional and Institutional
Support Program 45,972,443

SOURCE OF FUNDS:

(1) ASETF 32,451,521

(2) Federal and Local Funds 815,457

(3) Other Funds 12,705,465

| | | | |
|--|------------|------------|------------|
| Total Post-Secondary Vocational- Technical Education System | 32,451,521 | 13,520,922 | 45,972,443 |
|--|------------|------------|------------|

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessmer State Technical College; (6) John C. Calhoun State Community College-Technical Division (7) Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division (13) Douglas McArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State

Technical College; (24) C. A. Fred State Technical College; (25) Walker County State Technical College (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville). Of the above appropriations contained herein in Section 3 (a) (24) not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

25. Social Security

| | |
|---|------------|
| (a) For State's share of Social Security, Estimated | 47,249,440 |
|---|------------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|------------|------------|
| (1) ASETF | 47,249,440 | |
| Total Social Security | 47,249,440 | 47,249,440 |

26. Sports Hall of Fame

| | |
|---|--------|
| (a) Historical Resources Management Program | 51,894 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 30,000 | |
| (2) Sports Hall of Fame Operating Fund | | 21,894 |
| Total Sports Hall of Fame | 30,000 | 51,894 |

27. Alabama Education Study Commission

| | |
|------------------------------------|---------|
| (a) Advisory Services Program | 210,000 |
|------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 210,000 | |
| Total Alabama Education Study Commission | 210,000 | 210,000 |

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

| | |
|---|-------------|
| (a) Retirement Systems Program, Estimated | 142,396,640 |
|---|-------------|

SOURCE OF FUNDS:

| | | |
|--|-------------|-------------|
| (1) ASETF - Teachers' Retirement System | 140,297,462 | |
| (2) ASETF-Teachers' Special Pension Fund | 2,099,178 | |
| Total Retirement Systems Program (State's Share) | 142,396,640 | 142,396,640 |

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

| | |
|------------------------------|--------|
| (a) Regulation Program | 10,000 |
|------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 10,000 | |
| Total State Tenure Commission .. | 10,000 | 10,000 |

30. Educational TV Commission

| | |
|---|-----------|
| (a) Educational TV Services Program | 2,885,500 |
| (b) Public Radio Service Program | 195,000 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|-----------|-----------|
| (1) ASETF | 2,205,500 | |
| (2) Federal and Local Funds | 875,000 | |
| Total Educational TV Commission .. | 2,205,500 | 3,080,500 |

31. Veterans Education Benefits

| | |
|--|-----------|
| (a) Administration of Veterans Affairs Program | 1,350,000 |
|--|-----------|

SOURCE OF FUNDS:

| | | |
|--------------------------------------|-----------|-----------|
| (1) ASETF | 1,350,000 | |
| Total Veterans Education Benefits .. | 1,350,000 | 1,350,000 |

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The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

| | |
|---|-------|
| (a) Support of other Educational Activities Program | 1,000 |
|---|-------|

SOURCE OF FUNDS:

| | |
|-----------------|-------|
| (1) ASETF | 1,000 |
|-----------------|-------|

| | | |
|--|-------|-------|
| Total John M. Will Journalism Scholarship Fund | 1,000 | 1,000 |
|--|-------|-------|

33. Youth Services

| | |
|----------------------------------|-----------|
| (a) Youth Services Program | 8,906,171 |
|----------------------------------|-----------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 7,221,171 |
|-----------------|-----------|

| | |
|-----------------------------------|-----------|
| (2) Federal and Local Funds | 1,685,000 |
|-----------------------------------|-----------|

| | | | |
|----------------------------|-----------|-----------|-----------|
| Total Youth Services | 7,221,171 | 1,685,000 | 8,906,171 |
|----------------------------|-----------|-----------|-----------|

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

SECTION 4.

B. NON-STATE EDUCATIONAL AGENCIES:

| | |
|---|--------|
| 1. American Legion Auxiliary Scholarship Fund | 10,000 |
|---|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 10,000 |
|-----------------|--------|

| | | |
|--|--------|--------|
| Total American Legion Auxiliary Scholarship Fund | 10,000 | 10,000 |
|--|--------|--------|

(To be expended under the provisions of Act No. 676, 1978 Regular Session.)

2. Birmingham Symphony

| | |
|-----------------------------|--------|
| (a) Fine Arts Program | 95,000 |
|-----------------------------|--------|

To be used in the school concert program.

SOURCE OF FUNDS:

| | | |
|---------------------------------|--------|--------|
| (1) ASETF | 95,000 | |
| Total Birmingham Symphony | 95,000 | 95,000 |

3. Birmingham Training Center for Brain Injured Children

| | | |
|--|--|--------|
| (a) Non - Institutional Treatment and Care Program | | 30,000 |
|--|--|--------|

SOURCE OF FUNDS:

| | | |
|---|--------|--------|
| (1) ASETF | 30,000 | |
| Total Birmingham Training Center for Brain Injured Children | 30,000 | 30,000 |

4. East Alabama Regional Child Development Program

| | | |
|-------------------------------------|--|---------|
| (a) Financial Assistance Program .. | | 580,373 |
|-------------------------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 525,000 | |
| (2) Federal and Local Funds | | 55,373 |
| Total East Alabama Regional Child Development Program | 525,000 | 55,373 |
| | | 580,373 |

Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.

5. Environmental Quality Association

| | | |
|---|--|---------|
| (a) Environmental Education Program | | 175,000 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 175,000 | |
| Total Environmental Quality Association | 175,000 | 175,000 |

6. Montgomery Institute for Neurological Development

| | | |
|--|--|--------|
| (a) Non - Institutional Treatment and Care Program | | 25,000 |
|--|--|--------|

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SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 25,000 | | |
| Total Montgomery Institute of Neu- rological Development | 25,000 | | 25,000 |

7. Opportunities Industrialization
Centers

| | | | |
|---|--|--|---------|
| (a) Manpower Development and Employment Opportunities Pro- gram | | | 175,000 |
|---|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 175,000 | | |
| Total Opportunities Industrializa- tion Centers | 175,000 | | 175,000 |

8. Sylacauga Nurses Training School

| | | | |
|--|--|--|---------|
| (a) Support of Other Educational Activities Program | | | 348,984 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF | 58,000 | | |
| (2) Federal and Local Funds | | 17,500 | |
| (3) Other Funds | | 273,484 | |
| Total Sylacauga Nurses Training School | 58,000 | 290,984 | 348,984 |

(The above includes \$18,000 for
Nursing Scholarships.)

(To be expended in accordance
with Act No. 2393, 1971 Regular
Session.)

9. Hall of Fame Bowl Game:

| | | | |
|--|--|--|--------|
| (a) Tourism and Travel Promotion | | | 50,000 |
|--|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|------------------------------------|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Hall of Fame Bowl Game | 50,000 | | 50,000 |

10. Alabama Shakespeare Festival

| | | | |
|-----------------------------|--|--|-------|
| (a) Fine Arts Program | | | 2,500 |
|-----------------------------|--|--|-------|

SOURCE OF FUNDS:

| | | | |
|-----------------|-------|--|--|
| (1) ASETF | 2,500 | | |
|-----------------|-------|--|--|

| | | |
|--|-------|-------|
| Total Alabama Shakespeare Festival | 2,500 | 2,500 |
|--|-------|-------|

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

| | |
|---|------------|
| (a) Instruction | 22,587,787 |
| (b) Transfers | 833,373 |
| (c) Libraries | 1,405,171 |
| (d) Academic Support (excl. Libr.) | 4,511,867 |
| (e) Student Services | 1,558,251 |
| (f) Institutional Support | 6,550,441 |
| (g) Operation & Maintenance of Physical Plant | 5,646,479 |
| (h) Scholarships and Fellowships .. | 648,766 |
| (i) Capital Outlay | 1,095,259 |
| (j) Debt Service | 292,240 |

SOURCE OF FUNDS:

| | |
|-------------------------|------------|
| (1) ASETF | 31,723,728 |
| (2) Other Sources | 13,405,906 |

| | | | |
|--|------------|------------|------------|
| Total Operations & Maintenance, Extension, Public Service & Research | 31,723,728 | 13,405,906 | 45,129,634 |
|--|------------|------------|------------|

2. Extension, Public Service & Research:

| | |
|--------------------------|-----------|
| (a) Research | 133,829 |
| (b) Public Service | 2,665,090 |
| (c) Capital Outlay | 20,720 |
| (d) Debt Service | 57,364 |
| (e) Transfers | 16,594 |

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 1,850,000 |
|-----------------|-----------|

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| | | |
|--|-----------|-----------|
| (2) Other Sources | 1,043,597 | |
| Total Extension, Public Service, and Research | 1,850,000 | 2,893,597 |
| <hr/> | | |
| 3. Emergency Medical Services Paramedic Training: | | |
| (For operation and maintenance) | | |
| (a) Public Service | | 125,000 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 125,000 | |
| Total Emergency Medical Services .. | 125,000 | 125,000 |
| <hr/> | | |
| 4. Center for Emotionally Disturbed Children: | | |
| (a) Academic Support (excl. Libr.) | | 472,462 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 472,462 | |
| Total Center for Emotionally Dis- turbed Children | 472,462 | 472,462 |
| <hr/> | | |
| 5. Nursing Scholarships: | | |
| (a) Scholarships and Fellowships .. | | 18,000 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |
| <hr/> | | |
| 6. School of Mines: | | |
| (a) Research | | 859,000 |
| (b) Public Service | | 200,000 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 1,059,000 | |
| Total School of Mines | 1,059,000 | 1,059,000 |
| <hr/> | | |
| 7. Family Practice Center: | | |
| (a) Instruction | | 312,285 |
| (b) Academic Support (excl. Libr.) | | 429,360 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 741,645 | |
| <hr/> | | |

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| | | | |
|---|-----------|------------|------------|
| Total Family Practice Center | 741,645 | | 741,645 |
| <hr/> | | | |
| 8. Alabama Museum of Natural History-Mound State Park and Archaeological Service: | | | |
| (a) Public Service | | | 182,195 |
| (b) Capital Outlay | | | 6,705 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 38,900 | |
| <hr/> | | | |
| Total Alabama Museum of Natural History-Mound State Park and Archaeological | 150,000 | 38,900 | 188,900 |
| <hr/> | | | |
| 9. College of Community Health Sciences: | | | |
| (a) Instruction | | | 1,515,047 |
| (b) Libraries | | | 135,377 |
| (c) Academic Support (excl. Libr.) | | | 409,836 |
| (d) Operation & Maintenance of Physical Plant | | | 169,412 |
| (e) Capital Outlay | | | 30,314 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 2,154,986 | | |
| (2) Other Sources | | 105,000 | |
| <hr/> | | | |
| Total College of Community Health Sciences | 2,154,986 | 105,000 | 2,259,986 |
| <hr/> | | | |
| 10. Auxiliary Enterprises: | | | |
| (a) Scholarships & Fellowships | | | 421,679 |
| (b) Capital Outlay | | | 37,652 |
| (c) Auxiliary Enterprises | | | 10,517,791 |
| (d) Debt Service | | | 1,457,481 |
| (e) Transfer to Plant Funds | | | 526,900 |
| SOURCE OF FUNDS: | | | |
| (1) Other Sources | | 12,961,503 | |
| <hr/> | | | |
| Total Auxiliary Enterprises | | 12,961,503 | 12,961,503 |
| <hr/> | | | |
| 11. Restricted Funds: | | | |
| (a) Instruction | | | 6,310,584 |

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| | |
|--|-----------|
| (b) Research | 1,120,746 |
| (c) Public Service | 934,713 |
| (d) Academic Support (excl. Libr.) | 79,116 |
| (e) Student Services | 102,883 |
| (f) Institutional Support | 308,817 |
| (g) Operation & Maintenance of Physical Plant | 138,348 |
| (h) Scholarships and Fellowships .. | 795,308 |
| (i) Capital Outlay | 347,637 |

SOURCE OF FUNDS:

| | | |
|------------------------------|-------------------|-------------------|
| (1) State Funds | 3,185,481 | |
| (2) Federal Funds | 5,692,671 | |
| (3) Other Sources | 1,260,000 | |
| Total Restricted Funds | <u>10,138,152</u> | <u>10,138,152</u> |

12. Gadsden Cooperative Upper
Division Program:

| | |
|--------------------------|---------|
| (a) Instruction | 267,168 |
| (b) Capital Outlay | 15,992 |

SOURCE OF FUNDS:

| | | |
|---|----------------|----------------|
| (1) ASETF | 193,189 | |
| (2) Other Sources | <u>89,971</u> | |
| Total Gadsden Cooperative Upper Division Program | <u>193,189</u> | <u>283,160</u> |

13. Rural Infant Development En-
vironment Program

125,000

SOURCE OF FUNDS:

| | | |
|---|----------------|----------------|
| (1) ASETF | <u>125,000</u> | |
| Total Rural Infant Development Environment Program | <u>125,000</u> | <u>125,000</u> |

14. Vocational Teacher Training
Program

340,057

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | <u>340,057</u> | |
| Total Vocational Teacher Training Program | <u>340,057</u> | <u>340,057</u> |

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| | | | |
|--|------------|------------|------------|
| TOTAL UNIVERSITY OF ALA- BAMA | 38,953,067 | 37,783,029 | 76,736,096 |
|--|------------|------------|------------|

B. University of Alabama in Bir-
mingham

1. School of Medicine:

| | | | |
|--|--|------------|--|
| (a) Instruction | | 14,013,030 | |
| (b) Research | | 17,975,212 | |
| (c) Public Service | | 5,638,999 | |
| (d) Libraries | | 264,132 | |
| (e) Academic Support (excl. Libr.) | | 1,361,489 | |
| (f) Student Services | | 401,368 | |
| (g) Institutional Support | | 2,924,249 | |
| (h) Operation & Maintenance of Physical Plant | | 3,596,996 | |
| (i) Scholarships and Fellowships .. | | 115,000 | |
| (j) Capital Outlay | | 900,000 | |
| (k) Equipment-Other than Auto- motive (For Cavitron Laser Ma- chine) | | 70,000 | |
| (l) Training on Special Cancer Detection for Rehabilitating for Speech & Hearing Disorders | | 45,000 | |
| (m) Debt Service | | 724,221 | |
| (n) Hyperthermia Program | | 109,000 | |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|------------|------------|
| (1) ASETF | 16,199,000 | | |
| (2) State Funds | | 1,550,000 | |
| (3) Federal Funds | | 22,400,000 | |
| (4) Local Funds | | 550,000 | |
| (5) Other Sources | | 7,439,696 | |
| Total School of Medicine | 16,199,000 | 31,939,696 | 48,138,696 |

2. Family and Other Primary Care
Residency Programs:

| | | | |
|--|--|-----------|--|
| (a) Instruction | | 1,723,390 | |
| (b) Institutional Support | | 18,590 | |
| (c) Operation & Maintenance of Physical Plant | | 20,020 | |

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SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,762,000 | |
| Total Family and Other Primary Care Residency Programs | 1,762,000 | 1,762,000 |

The above appropriation shall be
expended for residency programs
as follows:

| | |
|--------------------------------|---------|
| Anniston | 230,000 |
| East End | 230,000 |
| Jefferson County | 230,000 |
| Montgomery | 230,000 |
| Montg.-Internal Medicine | 230,000 |
| Heflin | 50,000 |
| Selma | 342,000 |
| Gadsden | 230,000 |

3. University College:

| | |
|--|------------|
| (a) Instruction | 10,763,800 |
| (b) Research | 453,100 |
| (c) Public Service | 1,061,300 |
| (d) Libraries | 1,357,200 |
| (e) Academic Support (excl. Libr.) | 2,467,492 |
| (f) Student Services | 903,284 |
| (g) Institutional Support | 2,248,924 |
| (h) Operation & Maintenance of Physical Plant | 1,675,854 |
| (i) Scholarships and Fellowships .. | 120,000 |
| (j) Capital Outlay | 400,000 |
| (k) For Vocational Teacher Train- ing | 125,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|-----------|------------|
| (1) ASETF | 13,452,764 | | |
| (2) Federal Funds | | 382,821 | |
| (3) Local Funds | | 656,903 | |
| (4) Other Sources | | 7,083,466 | |
| Total University College | 13,452,764 | 8,123,190 | 21,575,954 |

4. University Hospital and Clinics:

| | |
|--------------------|------------|
| (a) Hospital | 81,914,088 |
|--------------------|------------|

| | | | |
|------------------------|--|--|-----------|
| (b) Debt Service | | | 2,798,000 |
|------------------------|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|---|-----------|------------|------------|
| (1) ASETF | 5,907,000 | | |
| (2) Other Sources | | 78,805,088 | |
| Total University Hospital and Clinics | 5,907,000 | 78,805,088 | 84,712,088 |

5. School of Optometry:

| | | | |
|---|--|--|-----------|
| (a) Instruction | | | 2,111,241 |
| (b) Research | | | 91,684 |
| (c) Public Service | | | 62,188 |
| (d) Libraries | | | 5,477 |
| (e) Academic Support (excl. Lib.) | | | 296,586 |
| (f) Student Services | | | 33,263 |
| (g) Institutional Support | | | 154,370 |
| (h) Operation & Maintenance of Physical Plant | | | 315,882 |
| (i) Debt Service | | | 26,125 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,021,500 | | |
| (2) State Funds | | 267,731 | |
| (3) Other Sources | | 807,585 | |
| Total School of Optometry | 2,021,500 | 1,075,316 | 3,096,816 |

6. School of Public and Allied Health:

| | | | |
|---|--|--|-----------|
| (a) Instruction | | | 1,890,445 |
| (b) Research | | | 64,469 |
| (c) Public Service | | | 245,500 |
| (d) Libraries | | | 27,785 |
| (e) Academic Support (excl. Lib.) | | | 484,513 |
| (f) Student Services | | | 60,197 |
| (g) Institutional Support | | | 230,800 |
| (h) Operation & Maintenance of Physical Plant | | | 257,771 |
| (i) Scholarships and Fellowships .. | | | 16,000 |
| (j) Debt Service | | | 29,514 |

SECOND EXTRAORDINARY SESSION
5th Day

499

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 1,838,473 | | |
| (2) Federal Funds | | 1,089,642 | |
| (3) Other Sources | | 378,879 | |
| | | <hr/> | |
| Total School of Community and Allied Health Resources | 1,838,473 | 1,468,521 | 3,306,994 |
| | <hr/> | <hr/> | <hr/> |

7. Regional Technical Institute:

| | | | |
|---|--|-----------|--|
| (a) Instruction | | 1,382,972 | |
| (b) Research | | 24,750 | |
| (c) Public Service | | 95,495 | |
| (d) Libraries | | 35,627 | |
| (e) Academic Support (excl. Libr.) | | 210,097 | |
| (f) Student Services | | 63,388 | |
| (g) Institutional Support | | 102,146 | |
| (h) Operation & Maintenance of Physical Plant | | 292,825 | |

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|-----------|---------|-----------|
| (1) ASETF | 1,697,245 | | |
| (2) Federal Funds | | 349,873 | |
| (3) Other Sources | | 160,182 | |
| | | <hr/> | |
| Total Regional Technical Institute .. | 1,697,245 | 510,055 | 2,207,300 |
| | <hr/> | <hr/> | <hr/> |

8. Joint Health Sciences Program:

| | | | |
|---|--|-----------|--|
| (a) Instruction | | 1,675,968 | |
| (b) Libraries | | 32,400 | |
| (c) Academic Support (excl. Libr.) | | 185,700 | |
| (d) Student Services | | 12,000 | |
| (e) Institutional Support | | 280,400 | |
| (f) Operation & Maintenance of Physical Plant | | 572,164 | |
| (g) Scholarships and Fellowships .. | | 100,000 | |
| (h) Capital Outlay | | 50,000 | |

SOURCE OF FUNDS:

| | | | |
|-------------------------|-----------|---------|--|
| (1) ASETF | 2,392,488 | | |
| (2) Federal Funds | | 175,800 | |
| (3) Other Sources | | 340,344 | |
| | | <hr/> | |

| | | | |
|---|-----------|---------|-----------|
| Total Joint Health Sciences Program | 2,392,488 | 516,144 | 2,908,632 |
| 9. Department of Pediatrics: | | | |
| (a) Instruction | | | 318,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 318,000 | | |
| Total Department of Pediatrics | 318,000 | | 318,000 |
| 10. Center for Labor Education & Research: | | | |
| (a) Research | | | 43,070 |
| (b) Public Service | | | 172,270 |
| (c) Institutional Support | | | 30,040 |
| (d) Operation & Maintenance of Physical Plant | | | 23,794 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 269,174 | | |
| Total Center for Labor Education and Research | 269,174 | | 269,174 |
| 11. Student Nurses Loans: | | | |
| (a) Scholarships & Fellowships | | | 12,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 12,000 | | |
| Total Student Nurses Loans | 12,000 | | 12,000 |
| 12. Special Mental Health: | | | |
| (a) Instruction | | | 1,684,908 |
| (b) Research | | | 362,451 |
| (c) Public Service | | | 91,707 |
| (d) Institutional Support | | | 95,246 |
| (e) Operation & Maintenance of Physical Plant | | | 80,877 |
| (f) Transfers | | | 567,710 |
| SOURCE OF FUNDS: | | | |
| (1) Special Mental Health Fund | 2,882,899 | | |
| Total Special Mental Health | 2,882,899 | | 2,882,899 |

SECOND EXTRAORDINARY SESSION
5th Day

501

13. Center for Developmental and Learning Disorders:

| | |
|--------------------------|-----------|
| (a) Instruction | 1,404,635 |
| (b) Research | 25,083 |
| (c) Public Service | 1,078,560 |

SOURCE OF FUNDS:

| | |
|-------------------------------------|-----------|
| (1) Special Mental Health Fund | 487,250 |
| (2) Federal Funds | 1,482,501 |
| (3) Other Sources | 538,527 |

| | | |
|---|-----------|-----------|
| Total Center for Development and Learning Disorders | 2,508,278 | 2,508,278 |
|---|-----------|-----------|

14. School of Dentistry:

| | |
|---|-----------|
| (a) Instruction | 5,525,057 |
| (b) Research | 3,871,173 |
| (c) Public Service | 561,287 |
| (d) Libraries | 102,052 |
| (e) Academic Support (excl. Libr.) | 574,044 |
| (f) Student Services | 127,565 |
| (g) Institutional Support | 803,661 |
| (h) Operation & Maintenance of Physical Plant | 2,079,120 |
| (i) Debt Service | 85,000 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,938,000 | | |
| (2) Federal Funds | | 4,100,000 | |
| (3) Other Sources | | 2,690,959 | |
| Total School of Dentistry | 6,938,000 | 6,790,959 | 13,728,959 |

15. School of Nursing Scholarships:

| | |
|--------------------------------------|--------|
| (a) Scholarships & Fellowships | 88,400 |
|--------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 88,400 | | |
| Total School of Nursing Scholarships | 88,400 | | 88,400 |

16. System Medical Education Program:

| | | |
|-----------------------|--|---------|
| (a) Instruction | | 503,500 |
|-----------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 503,500 | |
| Total System Medical Education Program | 503,500 | 503,500 |

17. School of Nursing:

| | | |
|---|--|-----------|
| (a) Instruction | | 2,621,714 |
| (b) Research | | 51,134 |
| (c) Public Service | | 45,000 |
| (d) Libraries | | 34,080 |
| (e) Academic Support (excl. Libr.) | | 399,325 |
| (f) Student Services | | 133,991 |
| (g) Institutional Support | | 248,857 |
| (h) Operation & Maintenance of Physical Plant | | 317,983 |
| (i) Scholarships & Fellowships | | 20,000 |

SOURCE OF FUNDS:

| | | |
|-------------------------------|-----------|-----------|
| (1) ASETF | 2,546,102 | |
| (2) Federal Funds | | 719,603 |
| (3) Other Sources | | 606,379 |
| Total School of Nursing | 2,546,102 | 1,325,982 |
| | | 3,872,084 |

18. Health - Related Research and Public Service:

| | | |
|---|--|-----------|
| (a) Instruction | | 925,900 |
| (b) Research | | 670,900 |
| (c) Public Service | | 1,051,100 |
| (d) Academic Support (excl. Libr.) | | 24,900 |
| (e) Institutional Support | | 135,500 |
| (f) Operation & Maintenance of Physical Plant | | 141,654 |

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 2,889,654 | |
| (2) Other Sources | | 60,300 |
| Total Health-Related Research and Public Service | 2,889,654 | 60,300 |
| | | 2,949,954 |

SECOND EXTRAORDINARY SESSION
5th Day

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(These appropriations under Sub-section B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training,
Including Mining Emergency
Training & Safety:

| | |
|--------------------------|---------|
| (a) Instruction | 125,000 |
| (b) Public Service | 40,000 |

SOURCE OF FUNDS:

| | | |
|----------------------------------|---------|---------|
| (1) ASETF | 165,000 | |
| Total Emergency Medical Training | 165,000 | 165,000 |

20. Urban Research and Public Service:

| | |
|--|--------|
| (a) Research | 46,800 |
| (b) Public Service | 97,870 |
| (c) Libraries | 17,020 |
| (d) Operation & Maintenance of Physical Plant | 8,522 |

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 170,212 | |
| Total Urban Research & Public Service | 170,212 | 170,212 |

21. Hypertension Research

400,000

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 400,000 | |
| Total Hypertension Research | 400,000 | 400,000 |

22. Arthritis Research

400,000

SOURCE OF FUNDS:

| | | | |
|--|-------------------|--------------------|--------------------|
| (1) ASETF | 400,000 | | |
| Total Arthritis Research | 400,000 | | 400,000 |
| TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM | 59,970,512 | 136,006,428 | 195,976,940 |

C. University of Alabama in
Huntsville:

(1) Operation and Maintenance:

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 4,439,805 |
| (b) Research | | | 1,514,883 |
| (c) Public Service | | | 277,652 |
| (d) Libraries | | | 330,645 |
| (e) Academic Support (excl. Lib.) | | | 264,531 |
| (f) Student Service | | | 536,212 |
| (g) Institutional Support | | | 1,008,079 |
| (h) Operation and Maintenance of Physical Plant | | | 1,000,930 |
| (i) Scholarships and Fellowships .. | | | 740,577 |
| (j) Auxiliary Enterprises | | | 1,075,163 |
| (k) Equipment Purchases | | | 530,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|------------|
| (1) ASETF | 5,691,184 | | |
| (2) Federal Funds | | 1,988,825 | |
| (3) Other Sources | | 3,938,468 | |
| Total Operation & Maintenance | 5,791,184 | 5,927,293 | 11,718,477 |

2. School of Nursing Scholarships:

| | | | |
|-------------------------------------|--|--|--------|
| (a) Scholarships and Fellowships .. | | | 18,000 |
|-------------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total School of Nursing Scholar- ships | 18,000 | | 18,000 |

(To be expended in accordance
with Act 2290, 1971 Regular Ses-
sion.)

3. School of Primary Medical Care:

| | | | |
|-----------------------|--|--|-----------|
| (a) Instruction | | | 1,704,937 |
|-----------------------|--|--|-----------|

SECOND EXTRAORDINARY SESSION
5th Day

505

| | |
|--|---------|
| (b) Research | 435,865 |
| (c) Public Service | 16,423 |
| (d) Libraries | 29,906 |
| (e) Academic Support (excl. Libr.) | 550,623 |
| (f) Student Services | 60,175 |
| (g) Institutional Support | 365,534 |
| (h) Operation and Maintenance of Physical Plant | 312,094 |
| (i) Scholarships and Fellowships .. | 2,800 |
| (j) Equipment Purchases | 47,567 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|----------------|------------------|
| (1) ASETF | 2,642,511 | | |
| (2) Federal Funds | | 440,228 | |
| (3) Other Sources | | 443,185 | |
| Total School of Primary Medical Care | <u>2,642,511</u> | <u>883,413</u> | <u>3,525,924</u> |

4. Johnson Environmental &
Energy Center:

| | |
|--|---------|
| (a) Research | 338,626 |
| (b) Public Service | 201,730 |
| (c) Institutional Support | 23,454 |
| (d) Operation and Maintenance of Physical Plant | 44,007 |
| (e) Equipment Purchases | 27,282 |

SOURCE OF FUNDS:

| | | | |
|--|----------------|----------------|----------------|
| (1) ASETF | 269,191 | | |
| (2) State Funds | | 58,911 | |
| (3) Federal Funds | | 305,168 | |
| (4) Other Sources | | 1,829 | |
| Total Center for Environmental and Energy Studies | <u>269,191</u> | <u>365,908</u> | <u>635,099</u> |

5. Ambulatory Care Center:

| | |
|--|---------|
| (a) Instruction | 480,223 |
| (b) Academic Support (excl. Libr.) | 466,201 |
| (c) Institutional Support | 72,918 |

| | |
|--|--------|
| (d) Operation and Maintenance of Physical Plant | 88,682 |
|--|--------|

| | |
|-------------------------------|--------|
| (e) Equipment Purchases | 50,000 |
|-------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|---------|-----------|
| (1) ASETF | 646,403 | | |
| (2) Other Sources | | 511,621 | |
| Total Ambulatory Care Center | 646,403 | 511,621 | 1,158,024 |

6. School of Nursing:

| | |
|-----------------------|---------|
| (a) Instruction | 538,238 |
|-----------------------|---------|

| | |
|--|---------|
| (b) Academic Support (excl. Libr.) | 197,272 |
|--|---------|

| | |
|---------------------------------|---------|
| (c) Institutional Support | 108,347 |
|---------------------------------|---------|

| | |
|--|---------|
| (d) Operation and Maintenance of Physical Plant | 137,722 |
|--|---------|

| | |
|-------------------------------|-------|
| (e) Equipment Purchases | 2,700 |
|-------------------------------|-------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 792,027 | | |
| (2) Other Sources | | 192,252 | |
| Total School of Nursing | 792,027 | 192,252 | 984,279 |

7. Paramedic Training:

| | |
|-----------------------|-------|
| (a) Instruction | 7,750 |
|-----------------------|-------|

| | |
|--------------------------|--------|
| (b) Public Service | 86,000 |
|--------------------------|--------|

| | |
|---------------------------------|--------|
| (c) Institutional Support | 16,730 |
|---------------------------------|--------|

| | |
|--|--------|
| (d) Operation and Maintenance of Physical Plant | 14,520 |
|--|--------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------|---------|--|---------|
| (1) ASETF | 125,000 | | |
| Total Paramedic Training | 125,000 | | 125,000 |

8. Alabama Solar Energy Center:

| | |
|--------------------|--------|
| (a) Research | 36,947 |
|--------------------|--------|

| | |
|--------------------------|--------|
| (b) Public Service | 36,947 |
|--------------------------|--------|

| | |
|---------------------------------|--------|
| (c) Institutional Support | 10,226 |
|---------------------------------|--------|

| | |
|--|--------|
| (d) Operation and Maintenance of Physical Plant | 19,188 |
|--|--------|

| | |
|-------------------------------|--------|
| (e) Equipment Purchases | 14,349 |
|-------------------------------|--------|

SECOND EXTRAORDINARY SESSION
5th Day

507

SOURCE OF FUNDS:

| | | | |
|--|------------|-----------|------------|
| (1) ASETF | 117,657 | | |
| Total Solar Energy Center | 117,657 | | 117,657 |
| TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE | 10,401,973 | 7,880,487 | 18,282,460 |

II. Board of Trustees of Alabama
A & M Univ.

A. Alabama A & M University

1. Operation and Maintenance

| | |
|--|-----------|
| (a) Instruction | 5,772,727 |
| (b) Research | 1,124,500 |
| (c) Public Service | 1,680,425 |
| (d) Libraries | 625,400 |
| (e) Academic Support (excl. Libr.) | 671,455 |
| (f) Student Services | 588,550 |
| (g) Institutional Support | 1,840,000 |
| (h) Operation and Maintenance of Physical Plant | 2,291,814 |
| (i) Scholarships and Fellowships .. | 150,000 |
| (j) Auxiliary Enterprises | 2,900,000 |
| (k) Equipment Purchases | 241,814 |
| (l) Automotive Equipment | 65,000 |
| (m) Debt Service | 451,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|-----------|------------|------------|
| (1) ASETF | 8,100,000 | | |
| (2) Federal Funds | | 5,027,000 | |
| (3) Other Sources | | 5,275,685 | |
| Total Operation & Maintenance | 8,100,000 | 10,302,685 | 18,402,685 |

| | |
|--------------------------------------|---------|
| 2. Vocational Teacher Training | 250,000 |
|--------------------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|-----------|------------|------------|
| (1) ASETF | 250,000 | | |
| Total Vocational Teacher Trng. | 250,000 | | 250,000 |
| TOTAL ALABAMA A & M UNI- VERSITY | 8,350,000 | 10,302,685 | 18,652,685 |

III. Board of Trustees of Alabama
State University

A. Alabama State University

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,215,310 |
| (b) Libraries | 670,860 |
| (c) Academic Support (excl. Libr.) | 511,880 |
| (d) Student Services | 888,340 |
| (e) Institutional Support | 1,259,780 |
| (f) Operation and Maintenance of Physical Plant | 1,337,810 |
| (g) Scholarships and Fellowships .. | 3,807,340 |
| (h) Auxiliary Enterprises | 2,424,780 |
| (i) Research | 93,610 |
| (j) Public Service | 93,820 |
| (k) Debt Service | 920,000 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|------------|------------|
| (1) ASETF | 7,118,175 | | |
| (2) Federal Funds | | 4,271,910 | |
| (3) Other Sources | | 5,833,445 | |
| Total Alabama State University ... | 7,118,175 | 10,105,355 | 17,223,530 |

IV. Board of Trustees of Auburn
University

A. Auburn University

1. Operation and Maintenance:

| | |
|--|------------|
| (a) Instruction | 30,016,035 |
| (b) Research | 5,987,159 |
| (c) Public Service | 4,036,563 |
| (d) Libraries | 3,581,220 |
| (e) Academic Support (excl. Libr.) | 3,310,474 |
| (f) Student Services | 3,273,554 |
| (g) Institutional Support | 4,651,892 |
| (h) Operation and Maintenance of Physical Plant | 7,476,079 |
| (i) Scholarships and Fellowships .. | 1,400,000 |
| (j) Auxiliary Enterprises | 15,040,000 |

SECOND EXTRAORDINARY SESSION
5th Day

509

SOURCE OF FUNDS:

| | | | |
|------------------------------------|------------|------------|------------|
| (1) ASETF | 34,962,440 | | |
| (2) Federal Funds | | 152,350 | |
| (3) Other Sources | | 43,637,906 | |
| (4) State Funds | | 20,280 | |
| Total Operation and Maintenance .. | 34,962,440 | 43,810,536 | 78,772,976 |

2. School of Nursing:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 500,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|--|---------|
| (1) ASETF | 500,000 | | |
| Total School of Nursing | 500,000 | | 500,000 |

3. Educational Television:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 352,068 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|------------------------------------|---------|--|---------|
| (1) ASETF | 352,068 | | |
| Total Educational Television | 352,068 | | 352,068 |

**4. Center for Vocational Teacher
Educational Training:**

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 500,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 500,000 | | |
| Total Center for Vocational Teacher Educational Training | 500,000 | | 500,000 |

5. Clinical Psychology:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 103,950 |
| (b) Equipment-Other than Auto- motive | | | 6,050 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|---------|--|---------|
| (1) ASETF | 110,000 | | |
| Total Clinical Psychology | 110,000 | | 110,000 |

**6. Agricultural Experiment Station
(Including Wildlife):**

| | | | |
|--------------------|--|--|------------|
| (a) Research | | | 14,609,845 |
|--------------------|--|--|------------|

| | |
|--|---------|
| (b) Institutional Support | 618,350 |
| (c) Operation and Maintenance of Physical Plant | 286,953 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|------------|
| (1) ASETF | 7,224,277 | | |
| (2) Federal Funds | | 5,546,341 | |
| (3) Other Sources | | 2,550,000 | |
| (4) State Funds | | 194,530 | |
| Total Agriculture Experiment Sta- tion | 7,224,277 | 8,290,871 | 15,515,148 |

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Sta-
tion:

| | |
|--------------------|---------|
| (a) Research | 812,232 |
|--------------------|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 812,232 | | |
| Total Engineering Experimental Station | 812,232 | | 812,232 |

8. Cooperative Extension Service:

| | |
|--------------------------|------------|
| (a) Public Service | 17,293,319 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | | | |
|-------------------------|-----------|-----------|--|
| (1) ASETF | 7,893,538 | | |
| (2) Federal Funds | | 7,872,700 | |
| (3) Local Funds | | 1,527,081 | |

5th Day

| | | | |
|---|-----------|-----------|------------|
| Total Cooperative Extension Service | 7,893,538 | 9,399,781 | 17,293,319 |
|---|-----------|-----------|------------|

production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service-Retirement:

| | |
|--------------------------|-----------|
| (a) Public Service | 1,022,840 |
|--------------------------|-----------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 1,022,840 |
|-----------------|-----------|

(2) Other Sources

| | | |
|--|-----------|-----------|
| Total Cooperative Extension Service-Retirement | 1,022,840 | 1,022,840 |
|--|-----------|-----------|

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

| | |
|--------------------------|---------|
| (a) Public Service | 346,841 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 346,841 |
|-----------------|---------|

| | | |
|--|---------|---------|
| Total Public Service, Research and Extension | 346,841 | 346,841 |
|--|---------|---------|

| | |
|---------------------------|---------|
| 11. Energy Research | 250,000 |
|---------------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------|------------|------------|-------------|
| (1) ASETF | 250,000 | | |
| Total Energy Research | 250,000 | | 250,000 |
| TOTAL AUBURN UNIVERSITY .. | 53,974,236 | 61,501,188 | 115,475,424 |

B. Auburn University at Montgomery:

1. Operations and Maintenance:

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 4,516,113 |
| (b) Research | | | 87,405 |
| (c) Public Service | | | 1,801,705 |
| (d) Libraries | | | 314,216 |
| (e) Academic Support (excl. Libr.) | | | 245,453 |
| (f) Student Services | | | 345,521 |
| (g) Institutional Support | | | 515,122 |
| (h) Operation and Maintenance of Physical Plant | | | 1,146,296 |
| (i) Scholarships and Fellowships .. | | | 293,295 |
| (j) Debt Service | | | 60,314 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 5,281,493 | | |
| (2) Federal Funds | | 1,621,100 | |
| (3) State Funds | | 45,000 | |
| (4) Other Sources | | 2,377,847 | |
| Total Operation and Maintenance .. | 5,281,493 | 4,043,947 | 9,325,440 |

2. Montgomery Area Community Health Science Institute:

| | | | |
|--------------------------|--|--|---------|
| (a) Public Service | | | 127,769 |
|--------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 127,769 | | |
| Total Montgomery Area Community Health Science Institute | 127,769 | | 127,769 |

3. Public Service Research and Extensions (Center for Government & Public Affairs):

| | | | |
|---------------------------|--|--|---------|
| (a) Public Services | | | 158,400 |
|---------------------------|--|--|---------|

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5th Day

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SOURCE OF FUNDS:

| | | | |
|---|---------|-------|---------|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 8,400 | |
| Total Public Service Research and Extensions (Center for Govern- ment and Public Affairs) | 150,000 | 8,400 | 158,400 |

4. School of Nursing:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 250,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 250,000 | | |
| Total School of Nursing | 250,000 | | 250,000 |
| TOTAL AUBURN AT MONTGOM- ERY | 5,809,262 | 4,052,347 | 9,861,609 |

V. Board of Trustees of Jackson-
ville State University:

A. Jacksonville State University

1. Operations and Maintenance

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 7,772,548 |
| (b) Public Service | | | 64,172 |
| (c) Libraries | | | 1,061,468 |
| (d) Academic Support (excl. Libr.) | | | 499,736 |
| (e) Student Services | | | 853,172 |
| (f) Institutional Support | | | 370,304 |
| (g) Operation and Maintenance of Physical Plant | | | 2,310,978 |
| (h) Scholarships and Fellowships .. | | | 315,000 |
| (i) Debt Service | | | 515,000 |

SOURCE OF FUNDS:

| | | | |
|--|------------|-----------|------------|
| (1) ASETF | 10,272,378 | | |
| (2) State Funds | | 160,000 | |
| (3) Other Sources | | 3,230,000 | |
| Total Operations and Maintenance | 10,372,378 | 3,390,000 | 13,762,378 |

2. Gadsden Program:

| | | | |
|--------------------------|--|--|---------|
| (a) Instruction | | | 465,622 |
| (b) Public Service | | | 8,000 |

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| | |
|--|--------|
| (c) Libraries | 38,000 |
| (d) Academic Support (excl. Libr.) | 18,000 |
| (e) Student Services | 15,000 |
| (f) Operation and Maintenance of Physical Plant | 50,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|---------|
| (1) ASETF | 484,622 | | |
| (2) Other Sources | | 110,000 | |
| Total Cooperative University Upper Division (formerly Gadsden Prog.) | 484,622 | 110,000 | 594,622 |

3. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |

(To be expended in accordance
with Act No. 2288, 1971 Regular
Session.)

| | |
|--|---------|
| 4. United Cerebral Palsy Develop- ment Center for East Central Alabama | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 100,000 | | |
| Total United Cerebral Palsy Devel- opment Center for East Central Alabama | 100,000 | | 100,000 |

| | |
|--|---------|
| 5. For Vocational Teacher Training | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | | |
|--|------------|-----------|------------|
| (1) ASETF | 100,000 | | |
| Total Vocational Teacher Training | 100,000 | | 100,000 |
| TOTAL JACKSONVILLE STATE UNIVERSITY | 11,075,000 | 3,500,000 | 14,575,000 |

A. Livingston University:

1. Operation and Maintenance:

| | |
|-----------------------|-----------|
| (a) Instruction | 1,634,247 |
|-----------------------|-----------|

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5th Day

515

| | |
|--|-----------|
| (b) Libraries | 173,902 |
| (c) Academic Support (excl. Libr.) | 196,472 |
| (d) Student Services | 224,790 |
| (e) Institutional Support | 630,208 |
| (f) Operation and Maintenance of Physical Plant | 891,821 |
| (g) Scholarships and Fellowships .. | 25,646 |
| (h) Auxiliary Enterprises | 1,078,000 |
| (i) For Federal Programs | 189,800 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 3,211,782 | | |
| (2) Federal Funds | | 189,800 | |
| (3) Local Funds | | 1,643,304 | |
| Total Operation and Maintenance .. | 3,211,782 | 1,833,104 | 5,044,886 |

2. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |
| TOTAL LIVINGSTON UNIVER- SITY | 3,229,782 | 1,833,104 | 5,062,886 |

VII. Board of Trustees of Univer-
sity of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 2,999,975 |
| (b) Research | 50,000 |
| (c) Public Service | 89,456 |
| (d) Libraries | 249,691 |
| (e) Academic Support | 372,312 |
| (f) Student Services | 392,952 |
| (g) Institutional Support | 807,390 |
| (h) Operation and Maintenance of Physical Plant | 1,546,618 |
| (i) Scholarships and Fellowships .. | 77,070 |

| | | | |
|---|-----------|-----------|-----------|
| (j) Hospitals | | | 306,080 |
| (k) Auxiliary Enterprises | | | 1,966,651 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 4,975,198 | | |
| (2) State Funds | | 85,000 | |
| (3) Federal Funds | | 323,959 | |
| (4) Other Sources | | 3,474,038 | |
| Total Operations and Maintenance | 4,975,198 | 3,882,997 | 8,858,195 |
| 2. School for Aphasic Children: | | | |
| (a) Instruction | | | 276,072 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 199,464 | | |
| (2) Federal Funds | | 3,000 | |
| (3) Other Sources | | 73,608 | |
| Total School for Aphasic Children .. | 199,464 | 76,608 | 276,072 |
| 3. Highway Safety Program: | | | |
| (a) Instruction | | | 127,788 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,714 | | |
| (2) Other Sources | | 2,074 | |
| Total Highway Safety Program | 125,714 | 2,074 | 127,788 |
| 4. Communications Center: | | | |
| (a) Public Service | | | 18,178 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 18,178 | | |
| Total Communications Center | 18,178 | | 18,178 |
| 5. For Vocational Teacher Training | | | |
| | | | 50,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 50,000 | | |
| Total Vocational Teacher Training | 50,000 | | 50,000 |
| TOTAL UNIVERSITY OF MONTE- VALLO | 5,368,554 | 3,961,679 | 9,330,233 |

SECOND EXTRAORDINARY SESSION
5th Day

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VIII. Board of Trustees of University of North Alabama:

A. University of North Alabama:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 5,219,942 |
| (b) Research | 106,350 |
| (c) Public Service | 51,130 |
| (d) Libraries | 487,000 |
| (e) Academic Support (excl. Libr.) | 629,000 |
| (f) Student Services | 835,660 |
| (g) Institutional Support | 1,147,000 |
| (h) Operation and Maintenance of Physical Plant | 1,636,200 |
| (i) Scholarships and Fellowships .. | 60,439 |
| (j) Debt Service | 170,700 |

SOURCE OF FUNDS:

| | | |
|------------------------------------|------------------|-------------------|
| (1) ASETF | 7,000,000 | |
| (2) Federal Funds | 284,680 | |
| (3) Local Funds | 85,000 | |
| (4) Other Sources | 2,973,741 | |
| Total Operation and Maintenance .. | <u>7,000,000</u> | <u>3,343,421</u> |
| | | <u>10,343,421</u> |

2. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 2,544,321 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|------------------|------------------|
| (1) Other Sources | 2,544,321 | |
| Total Auxiliary Enterprises | <u>2,544,321</u> | <u>2,544,321</u> |

3. Nursing School Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|--------------------------------------|---------------|---------------|
| (1) ASETF | 18,000 | |
| Total Nursing School Scholarships .. | <u>18,000</u> | <u>18,000</u> |

(To be expended in accordance with Act No. 2304, 1971 Regular Session.)

| | | | |
|---|-----------|-----------|------------|
| TOTAL UNIVERSITY OF NORTH ALABAMA | 7,018,000 | 5,887,742 | 12,905,742 |
|---|-----------|-----------|------------|

IX. Board of Trustees of University of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 8,120,663 |
| (b) Research | 175,488 |
| (c) Public Service | 49,267 |
| (d) Libraries | 416,050 |
| (e) Academic Support (excl. Libr.) | 458,281 |
| (f) Student Services | 1,272,356 |
| (g) Institutional Support | 1,216,059 |
| (h) Operations and Maintenance of Physical Plant | 2,137,653 |
| (i) Scholarships and Fellowships .. | 275,181 |
| (j) Debt Service | 1,499,333 |
| (k) Capital Outlay | 113,283 |
| (l) Equipment-Other than Auto- motive | 508,199 |
| (m) Automotive Equipment | 19,110 |
| (n) Transfers | 190,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 9,852,713 | | |
| (2) State Funds | | 123,353 | |
| (3) Federal Funds | | 481,400 | |
| (4) Other Sources | | 5,993,457 | |
| Total Operations and Maintenance | 9,852,713 | 6,598,210 | 16,450,923 |

2. Statewide Medical Education:

| | |
|-----------------------|---------|
| (a) Instruction | 187,824 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--|---------|
| (1) ASETF | 187,824 | | |
| Total Statewide Medical Education | 187,824 | | 187,824 |

3. Ambulatory Care:

| | |
|------------------------------------|--------|
| (a) Academic Support (excl. Libr.) | 99,304 |
|------------------------------------|--------|

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5th Day

519

SOURCE OF FUNDS:

| | | |
|-----------------------------|---------------|---------------|
| (1) ASETF | 99,304 | |
| Total Ambulatory Care | <u>99,304</u> | <u>99,304</u> |

4. Family Practice Residency Program:

| | |
|---|---------|
| (a) Instruction | 423,316 |
| (b) Operations and Maintenance of Physical Plant | 4,880 |
| (c) Equipment-Other than Auto- motive | 54,804 |
| (d) Transfers | 94,000 |

SOURCE OF FUNDS:

| | | |
|---|----------------|----------------|
| (1) ASETF | 577,000 | |
| Total Family Practice Residency Programs | <u>577,000</u> | <u>577,000</u> |

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

| | |
|---|-----------|
| (a) Instruction | 6,470,483 |
| (b) Research | 1,123,449 |
| (c) Public Service | 24,707 |
| (d) Libraries | 408,000 |
| (e) Academic Support | 386,817 |
| (f) Student Services | 125,262 |
| (g) Institutional Support | 869,353 |
| (h) Operations and Maintenance of Physical Plant | 1,228,181 |
| (i) Scholarships and Fellowships .. | 35,811 |
| (j) Capital Outlay | 192,695 |
| (k) Equipment-Other than Auto- motive | 192,695 |
| (l) Transfers | 1,791,434 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|------------|
| (1) ASETF | 8,459,329 | | |
| (2) Federal Funds | | 1,262,506 | |
| (3) Other Sources | | 3,127,052 | |
| Total College of Medicine | 8,459,329 | 4,389,558 | 12,848,887 |

6. University Medical Center:

(Includes University Hospital and
Clinic)

| | | | |
|--------------------------|--|--|------------|
| (a) Medical Center | | | 25,971,366 |
|--------------------------|--|--|------------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|------------|------------|
| (1) ASETF | 1,677,427 | | |
| (2) Other Sources | | 24,293,939 | |
| Total University Medical Center | 1,677,427 | 24,293,939 | 25,971,366 |

7. Newborn Growth and Develop-
ment Program (formerly Infant
and Maternal Care):

| | | | |
|-----------------------|--|--|--------|
| (a) Instruction | | | 79,097 |
|-----------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|--------|--|--------|
| (1) ASETF | 79,097 | | |
| Total Infant and Maternal Care | 79,097 | | 79,097 |

8. Human and Clinical Nutrition
Program

| | | | |
|-----------------------|--|--|--------|
| (a) Instruction | | | 25,000 |
|-----------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 25,000 | | |
| Total Human and Clinical Nutri- tion Prog. | 25,000 | | 25,000 |

9. Division of Allied Health:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 456,770 |
| (b) Institutional Support | | | 74,384 |
| (c) Equipment-Other than Auto- motive | | | 57,000 |
| (d) Transfers | | | 96,145 |

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 586,432 | | |
|-----------------|---------|--|--|

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5th Day

521

| | | | |
|---------------------------------------|---------|--------|---------|
| (2) Other Sources | | 97,867 | |
| Total Division of Allied Health | 586,432 | 97,867 | 684,299 |

10. School of Nursing:

| | | | |
|--|--|--|---------|
| (a) Instruction | | | 500,706 |
| (b) Institutional Support | | | 15,000 |
| (c) Equipment-Other than Auto- motive | | | 30,000 |
| (d) Transfers | | | 99,942 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 468,864 | | |
| (2) Federal Funds | | 25,500 | |
| (3) Other Sources | | 151,284 | |
| Total School of Nursing | 468,864 | 176,784 | 645,648 |

11. Nursing Scholarships:

| | | | |
|-------------------------------------|--|--|--------|
| (a) Scholarships and Fellowships .. | | | 22,539 |
|-------------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|-------|--------|
| (1) ASETF | 18,000 | | |
| (2) Other Sources | | 4,539 | |
| Total Nursing Scholarships | 18,000 | 4,539 | 22,539 |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

12. Research and Public Service
Extension:

| | | | |
|--|--|--|--------|
| (a) Research | | | 40,000 |
| (b) Public Service | | | 51,398 |
| (c) Equipment-Other than Auto- motive | | | 10,000 |

SOURCE OF FUNDS:

| | | | |
|--|--------|--------|---------|
| (1) ASETF | 91,398 | | |
| (2) Other Sources | | 10,000 | |
| Total Research and Public Service Extension | 91,398 | 10,000 | 101,398 |

13. Reproductive Health Sciences
Center:

| | |
|--|--------|
| (a) Instruction | 25,000 |
| (b) Equipment-Other than Auto- motive | 25,000 |

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 50,000 | |
| Total Reproductive Health Sciences Center | 50,000 | 50,000 |

14. Paramedic Training Program:

| | |
|---|---------|
| (a) For Operations and Mainte- nance | 125,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 125,000 | |
| Total Paramedic Training Program | 125,000 | 125,000 |

15. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 4,549,481 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | |
|--|-------------------|-------------------|
| (1) Other Sources | 4,549,481 | |
| Total Auxiliary Enterprises | 4,549,481 | 4,549,481 |
| TOTAL UNIVERSITY OF SOUTH ALABAMA | 22,297,388 | 40,120,378 |
| | | 62,417,766 |

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

X. Board of Trustees of Troy State University

A. Troy State University:

1. Operations and Maintenance:

| | |
|-----------------------|-----------|
| (a) Instruction | 4,176,400 |
|-----------------------|-----------|

SECOND EXTRAORDINARY SESSION
5th Day

523

| | |
|--|-----------|
| (b) Research | 32,800 |
| (c) Libraries | 377,900 |
| (d) Academic Support (excl. Libr.) | 259,800 |
| (e) Student Services | 831,200 |
| (f) Institutional Support | 1,090,300 |
| (g) Operation and Maintenance of Physical Plant | 1,300,000 |
| (h) Scholarships and Fellowships .. | 360,000 |
| (i) Public Service | 221,800 |
| (j) Auxiliary Enterprises | 3,265,318 |
| (k) Capital Outlay | 365,000 |
| (l) Debt Services | 245,000 |
| (m) Transfer to Plant Fund | 100,000 |
| (n) For Vocational Teacher Train- ing | 100,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,508,599 | | |
| (2) Federal Funds | | 500,000 | |
| (3) Other Sources | | 5,716,919 | |
| Total Operations and Maintenance | 6,508,599 | 6,216,919 | 12,725,518 |

2. Operation and Maintenance at
Ft. Rucker/Dothan:

| | |
|--|-----------|
| (a) Instruction | 1,137,700 |
| (b) Libraries | 114,900 |
| (c) Academic Support (excl. Libr.) | 154,700 |
| (d) Student Services | 131,200 |
| (e) Institutional Support | 172,500 |
| (f) Operation and Maintenance of Physical Plant | 116,626 |
| (g) Scholarships and Fellowships .. | 20,000 |
| (h) Auxiliary Enterprises | 145,000 |
| (i) Capital Outlay | 115,000 |
| (j) Debt Service | 80,000 |

SOURCE OF FUNDS:

| | | |
|-------------------------|---------|-----------|
| (1) ASETF | 870,000 | |
| (2) Other Sources | | 1,317,626 |

| | | | |
|--|---------|-----------|-----------|
| Total Operations and Maintenance at Ft. Rucker/Dothan | 870,000 | 1,317,626 | 2,187,626 |
|--|---------|-----------|-----------|

3. Operations and Maintenance in
Montgomery:

| | | | |
|--|--|-----------|--|
| (a) Instruction | | 1,271,300 | |
| (b) Public Service | | 66,500 | |
| (c) Libraries | | 15,000 | |
| (d) Academic Support (excl. Libr.) | | 145,000 | |
| (e) Student Services | | 235,000 | |
| (f) Institutional Support | | 495,000 | |
| (g) Scholarships and Fellowships | | 5,000 | |
| (h) Auxiliary Enterprises | | 220,000 | |
| (i) Capital Outlay | | 50,000 | |

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 222,800 | | |
| (2) Other Sources | | 2,280,000 | |
| Total Operations and Maintenance in Montgomery | 222,800 | 2,280,000 | 2,502,800 |

4. Nursing Scholarships:

| | | | |
|-------------------------------------|--|--------|--|
| (a) Scholarships and Fellowships .. | | 36,000 | |
|-------------------------------------|--|--------|--|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 36,000 | | |
| Total Nursing Scholarships | 36,000 | | 36,000 |

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

| | | | |
|-----------------------|--|--------|--|
| (a) Instruction | | 50,000 | |
|-----------------------|--|--------|--|

SOURCE OF FUNDS:

| | | | |
|--|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Operation and Maintenance at Bay Minette's Branch | 50,000 | | 50,000 |

| | | | |
|--|--|--|---------|
| 6. Operation and Maintenance of BSN Program in Montgomery --- | | | 250,000 |
|--|--|--|---------|

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5th Day

525

SOURCE OF FUNDS:

| | | | |
|--|------------------|------------------|-------------------|
| (1) ASETF | 250,000 | | |
| Total Nursing School—Montgomery | 250,000 | | 250,000 |
| TOTAL TROY STATE UNIVERSITY | 7,937,399 | 9,814,545 | 17,751,944 |

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:

A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instructions | 1,710,440 |
| (b) Libraries | 72,368 |
| (c) Student Services | 379,151 |
| (d) Institutional Support | 149,190 |
| (e) Operation and Maintenance of Physical Plant | 1,337,543 |
| (f) Scholarships and Fellowships .. | 1,800 |
| (g) Infirmary Speech and Hearing | 133,233 |
| (h) Auxiliary Enterprises | 2,179,651 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 3,696,500 | | |
| (2) Federal Funds | | 2,266,876 | |
| Total Alabama Institute for Deaf and Blind | 3,696,500 | 2,266,876 | 5,963,376 |

B. Department of Adult Blind and
Deaf:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,105,085 |
| (b) Libraries | 77,133 |
| (c) Academic Support (excl. Libr.) | 32,441 |
| (d) Student Services | 805,927 |
| (e) Institutional Support | 259,251 |
| (f) Operation and Maintenance of Physical Plant | 312,833 |
| (g) Auxiliary Enterprises | 5,896,247 |
| (h) Equipment-Other than Auto- motive | 63,466 |

| | | | |
|--|-----------|-----------|------------|
| (i) Automotive Equipment | | | 12,501 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 1,518,500 | | |
| (2) Federal Funds | | 2,017,349 | |
| (3) Other Sources | | 5,029,035 | |
| Total Alabama Institute for Deaf and Blind | 1,518,500 | 7,046,384 | 8,564,884 |
| GRAND TOTAL A L A B A M A INSTITUTE FOR DEAF AND BLIND | 5,215,000 | 9,313,260 | 14,528,260 |

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance. Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the Instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase. In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment. Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worked per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

| | |
|---------------------------------|-----------|
| (a) Instruction | 1,256,227 |
| (b) Instructional Support | 105,072 |

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| | |
|--|---------|
| (c) Administrative Support | 442,221 |
| (d) Student Services | 144,347 |
| (e) Operation and Maintenance of Physical Plant | 362,141 |
| (f) Auxiliary Enterprises | 323,122 |

SOURCE OF FUNDS:

| | | | |
|--|------------------|------------------|------------------|
| (1) ASETF | 1,500,000 | | |
| (2) Federal Funds | | 122,250 | |
| (3) Other Sources | | 1,010,880 | |
| TOTAL A THENS STATE COL- LEGE | 1,500,000 | 1,133,130 | 2,633,130 |

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community
College at Dothan:

For Operations and Maintenance .. 125,000

2. Gadsden State Junior College:

For Operations and Maintenance .. 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community
College-Technical Branch-Dothan:

For a nursing school 200,000

2. George Corley Wallace State
Community College (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 116,300

3. George Corley Wallace State
Community College - Technical
Branch (Selma):

For Operations and Maintenance at
the facility formerly Craig AFB 324,000

4. Alabama Academy of Honor 3,500

Section 8. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

Section 9.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899

to be expended under the programmatic area as shown under subsection 12 on page 52.

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution in 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

Section 10. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 11. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 12. The provisions of this Act are severable. If any portion paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 13. This Act shall become effective on October 1, 1978.

And the substitute was adopted.

Yeas 98; Nays 0.

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard,

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Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—98

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Ways and Means Substitute for Senate Bill 56 by adding on line 23 page 87 the following:

"Section 10. Each appropriation made herein shall be reduced by .0052 percent or such other percentage as may be necessary to limit the expenditures from the ASETF to an amount that does not exceed available revenues. Provided, however, that if revenues are available to pay each appropriation made herein in full then all appropriation shall be paid in full."

further amend the bill by renumbering the remaining Sections so that Sections 10, 11, 12 and 13 shall read Sections 11, 12, 13, and 14.

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—95

AMENDMENT OFFERED

Mr. Riddick offered the following amendment to the bill, S. 56 as amended:

Amend S. B. 56, as Substituted and Amended on page 19, line 22, by striking the figure "2,313,000" and inserting in lieu thereof the following figure: 2,750,000.

Also amend S. B. 56, as Substituted and Amended on page 19, lines 23-25 by striking subparagraph (2) and the figure "47,000".

Further amend S. B. 56, as Substituted and Amended on page 19, lines 26-27, by striking subparagraph (3) and the figure "390,000."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—95

AMENDMENT OFFERED

Mr. Johnson offered the following amendment to the bill, S. 56 as amended:

Amend S. B. Bill 56 as Sub., Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools":

"Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area.

MOTION TO TABLE LOST

The motion offered by Mr. Turnham to table the amendment offered by Mr. Johnson to the bill, S. 56 as amended, was lost.

Yeas 25; Nays 63.

Yeas:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Crawford, Dial, Harris, Killian, Lutz, Manley, Moore (W), Pegues, Roberts, Sasser, Smith (B), Smith (M), Towns, Turnham, Waggoner, White, Williams and Younce.

—25

Nays:

Messrs.: Albright, Armstrong, Buskey, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Langford, Leonard, Lockett, McCulley, McMillan, McNair, McNees, Merrill,

Mitchem, Morris, Naramore, Owens, Plaster, Quarles, Ray, Reed, Riddick, Robertson, Sandusky, Shelton, Shoemaker, Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Ward, Warren, Weeks and Whatley.

—63

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Johnson to the bill, S. 56 as amended, and the amendment was adopted.

Yeas 65; Nays 23.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Langford, Leonard, Lockett, McCulley, McMillan, McNair, McNees, Merrill, Mitchem, Morris, Naramore, Plaster, Quarles, Ray, Reed, Riddick, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Ward, Warren and Whatley.

—65

Nays:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Crawford, Dial, Gafford, Killian, Lutz, Manley, Moore (W), Pegues, Roberts, Sasser, Smith (M), Towns, Turnham, Waggoner, Weeks and Younce.

—23

AMENDMENT OFFERED

Mr. Carothers offered the following amendment No. 1 to the bill, S. 56 as amended:

Amend House Substitute for S. B. 56 by adding the following to Section 5, Page , Line :

"Any actual costs incurred by the unit or institution required to deduct dues under the provisions of this Act shall be borne by the organization for which the dues are being deducted."

AMENDMENT TABLED

On motion of Mr. Johnson, the amendment No. 1 offered by Mr. Carothers to the bill, S. 56 as amended, was tabled.

Yeas 48; Nays 40.

Yeas:

Messrs.: Andrews, Armstrong, Buskey, Cates, Clark, Cooper, Cross, Crowe, Drake, Goodwin, Greer, Harrison, Hill, Holley, Holmes (A), Holmes (D), Hopping, Howard, Johnson, Johnstone, Jolly, Kennedy, Kinsey, Langford, Lee, Lockett, Lutz, McCulley, McMillan, McNair, McNees, Merrill, Morris, Naramore, Plaster, Quarles, Ray, Reed, Robertson, Shelton, Smith (B), Smith (J), Sparks, Starkey, Trammell, Venable, Warren and Weeks.

—48

Nays:

Mr. Speaker, Albright, Baker, Biddle, Campbell, Carothers, Carter, Coburn, Crawford, Dial, Edwards, Falkenburg, Gafford, Glass, Gregg, Harris, Hilliard, Hines, Jackson (F), Kelley, Killian, Leonard, Manley,

Martin, Mitchem, Moore (W), Pegues, Riddick, Roberts, Sasser, Smith (M), Sonnier, Towns, Turnham, Waggoner, Ward, Whatley, White, Williams and Younce.

—40

AMENDMENT OFFERED

Messrs. Carothers and Turnham offered the following amendment to the bill, S. 56 as amended:

Amend House Substitute for S. B. 56 by adding the following to Section 5, Page 42, Line 6:

"Any costs incurred by the unit or institution required to deduct dues under the provisions of this Act shall be borne by the organization for which the dues are being deducted, not to exceed one percent (1%) of the total amount collected from each organization.

AMENDMENT TABLED

On motion of Mr. Holley, the amendment offered by Messrs. Carothers and Turnham to the bill, S. 56 as amended, was tabled.

Yeas 57; Nays 31.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Callahan, Cates, Clark, Coburn, Cooper, Cross, Drake, Edwards, Goodwin, Greer, Harrison, Hilliard, Hines, Holley, Holmes (O), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Merrill, Morris, Naramore, Plaster, Quarles, Reed, Robertson, Sandusky, Shelton, Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Ward, Warren, Weeks, Whatley and Wyatt.

—57

Nays:

Mr. Speaker, Baker, Biddle, Campbell, Carter, Crawford, Crowe, Dial, Gafford, Glass, Gregg, Harris, Kelley, Killian, McNair, Manley, Martin, Mitchem, Moore (W), Pegues, Ray, Riddick, Roberts, Sasser, Smith (M), Towns, Turnham, Waggoner, White, Williams and Younce.

—31

AMENDMENT OFFERED

Mr. Carothers offered the following amendment No. 2 to the bill, S. 56 as amended:

Amend House Substitute for S. B. 56 by adding the following to Section 5, Page 42, Line 6:

"Any organization for which dues are being deducted under the provisions of this Act shall have at least twenty percent (20%) of the total employees of the educational institution being required to deduct dues."

AMENDMENT TABLED

On motion of Mr. Johnson, the amendment No. 2 offered by Mr. Carothers to the bill, S. 56 as amended, was tabled.

Yeas 64; Nays 18.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Callahan, Cates, Coburn,

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Cooper, Crawford, Cross, Drake, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Plaster, Quarles, Reed, Riddick, Robertson, Sandusky, Shelton, Sparks, Starkey, Thomas, Trammell, Venable, Warren, Weeks, Whatley, Williams, Wyatt and Younce.

—64

Nays:

Messrs.: Baker, Biddle, Campbell, Carothers, Gafford, Harris, Manley, Moore (W), Pegues, Ray, Roberts, Sasser, Smith (B), Smith (M), Towns, Turnham, Waggoner and Ward.

—18

AMENDMENT OFFERED

Messrs. Turnham and Carothers offered the following amendment to the bill, S. 56 as amended:

Amend House Substitute for S. B. 56 by adding the following to Section 5, Page 42, Line 6:

"Any organization for which dues are being deducted under the provisions of this Act shall have at least fifteen percent (15%) of the total employees of the educational institution being required to deduct dues."

AMENDMENT TABLED

On motion of Mr. Johnson, the amendment offered by Messrs. Turnham and Carothers to the bill, S. 56 as amended, was tabled.

Yeas 65; Nays 23.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Callahan, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Ford, Glass, Goodwin, Greer, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Plaster, Quarles, Ray, Reed, Riddick, Robertson, Sandusky, Shelton, Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Warren, Weeks, Whatley and Wyatt.

—65

Nays:

Mr. Speaker, Baker, Biddle, Campbell, Carothers, Carter, Crawford, Dial, Gafford, Harris, Manley, Moore (W), Pegues, Roberts, Sasser, Smith (B), Smith (M), Towns, Turnham, Waggoner, Ward, Williams and Younce.

—23

AMENDMENT OFFERED

Mr. Biddle offered the following amendment to the bill, S. 56 as amended:

Amend Senate Bill 56 as substituted, Page 42, Line 6 by adding the following language after the words "Colleges, Universities and Schools".

"Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization, provided that the only dues to be withheld are those for City, County and State Associations in Alabama and no portion of any dues going outside of the State of Alabama shall be withheld. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area.

AMENDMENT TABLED

On motion of Mr. Johnson, the amendment offered by Mr. Biddle to the bill, S. 56 as amended, was tabled.

Yeas 59; Nays 33.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Buskey, Cates, Clark, Coburn, Cooper, Cross, Drake, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Kinsey, Langford, Leonard, Lockett, McMillan, McNair, McNees, Merrill, Mitchem, Morris, Naramore, Plaster, Quarles, Ray, Reed, Riddick, Robertson, Shelton, Smith (J), Sparks, Starkey, Thomas, Trammell, Venable, Ward, Warren, Weeks, Whatley and Wyatt.

—59

Nays:

Mr. Speaker, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Crawford, Crowe, Dial, Edwards, Falkenburg, Gafford, Harris, Jackson (F), Killian, Lee, Lutz, Manley, Moore (W), Owens, Pegues, Roberts, Sasser, Shoemaker, Smith (B), Smith (M), Towns, Turnham, Waggoner, White, Williams and Younce.

—33

AMENDMENT OFFERED

Mr. Smith (C) offered the following amendment to the bill, S. 56 as amended:

Amend Sub. to S. B. 56 as amended as follows:

On page 71, Sub-section VIII, on line 14, by striking out the number 2,999,975 and inserting in lieu thereof the number 3,399,975; amend further on line 27 by striking the number 4,975,198 and insert in lieu thereof the number 5,375,198; further amend page 71 on line 31 by striking the number 4,975,198 and inserting in lieu thereof the number 5,375,198 and, further amend line 31 by striking the number 8,858,195 and inserting in lieu thereof the number 9,258,195.

Further amend Sub. to S. B. 56 as amended on page 72 line 27 by striking the number 5,368,554 and inserting in lieu thereof the number 5,768,554; also amend line 27 by striking the number 9,330,233 and inserting in lieu thereof the number 9,730,233.

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. Smith (C) to the bill, S. 56 as amended, was tabled.

Yeas 51; Nays 36.

Yeas:

Messrs.: Albright, Andrews, Baker, Barron, Buskey, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Falkenburg, Ford, Gafford, Glass, Goodwin, Gregg, Hill, Holmes (A), Holmes (D), Howard, Jackson (F), Johnson, Kelley, Kennedy, Kinsey, Langford, Lee, Lutz, McCluskey, Manley, Merrill, Mitchem, Naramore, Pegues, Plaster, Ray, Roberts, Robertson, Sasser, Smith (B), Smith (J), Smith (M), Trammell, Weeks, Whatley, White, Williams, Wyatt and Younce.

—51

Nays:

Messrs.: Armstrong, Carter, Clark, Dial, Drake, Greer, Hall, Harrison, Holley, Hopping, Johnstone, Killian, Leonard, Lockett, McMillan, McNair, McNees, Martin, Moore (O), Moore (W), Morris, Owens, Quarles, Reed, Riddick, Sandusky, Shoemaker, Smith (C), Sonnier, Sparks, Starkey, Turnham, Venable, Waggoner, Ward and Warren.

—36

AMENDMENT OFFERED

Mr. Callahan offered the following amendment to the bill, S. 56 as amended:

Amend Senate Bill 56 on page 76, line 7 by striking out the figure "6,470,483" and inserting in lieu thereof the figure "6,320,483".

Further amend Senate Bill 56 on page 76, line 8 by striking out the figure "1,123,449" and inserting in lieu thereof the figure "1,073,449".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "8,459,329" and inserting in lieu thereof the figure "8,259,329".

Further amend Senate Bill 56 on page 76, line 24 by striking out the figure "12,848,887" and inserting in lieu thereof the figure "12,648,887".

Further amend Senate Bill 56 on page 79, by striking out line 11 in its entirety and inserting in lieu thereof the following:

"16. Basic Medical Sciences:

| | |
|---|---------|
| (a) Instruction | 109,323 |
| (b) Research | 20,347 |
| (c) Libraries | 16,273 |
| (d) Academic Support | 25,213 |
| (e) Student Services | 3,045 |
| (f) Institutional Support | 10,162 |
| (g) Operations and Maintenance of Physical Plant | 30,037 |

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 200,000 |
|-----------------|---------|

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| | | | |
|---|------------|------------|--------------|
| (2) Other Sources | | 14,400 | |
| Total Basic Medical Sciences | 200,000 | 14,400 | 214,400 |
| TOTAL UNIVERSITY OF SOUTH ALABAMA | 22,297,388 | 40,120,378 | 62,417,766". |

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Buskey, Callahan, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Greer, Gregg, Hall, Hill, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, McCluskey, McCulley, McMillan, McNair, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Turnham, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—77

AMENDMENT OFFERED

Mr. Hill offered the following amendment to the bill, S. 56 as amended.

Amend Senate Bill 56 on page 38, line 29 by adding the following: "(Of the above appropriation, Fifteen Thousand Dollars (\$15,000) shall be spent for the construction of a chapel on the campus at Mount Meigs.)"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hilliard, Hines, Holmes (A), Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—84

Nays: Messrs.: Andrews and Trammell.

—2

AMENDMENT OFFERED

Mr. McNees offered the following amendment to the bill, S. 56 as amended:

On page 44, line 33, add the following:

(f) Hamilton Rural Health Education Program 175,000

On page 45, line 6 and line 9, strike the figure "2,154,986" and insert in lieu thereof the following figure:

2,329,986

On page 45, line 9, strike the figure "2,259,986" and insert in lieu thereof the following figure:

2,434,986

AMENDMENT TABLED

On motion of Mr. Merrill, the amendment offered by Mr. McNees to the bill, S. 56 as amended, was tabled.

Yeas 46; Nays 27.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Buskey, Carothers, Cooper, Crawford, Dial, Falkenburg, Ford, Goodwin, Gregg, Harris, Hilliard, Holmes (D), Howard, Jackson (F), Jackson (R), Kennedy, Killian, Langford, Leonard, Lutz, McCluskey, Manley, Merrill, Mitchem, Pegues, Plaster, Riddick, Roberts, Sasser, Shoemaker, Smith (B), Smith (M), Starkey, Towns, Turnham, Waggoner, Whatley, White, Williams, Wyatt and Younce.

—46

Nays:

Messrs.: Albright, Carter, Clark, Drake, Gafford, Glass, Johnstone, Jolly, Kelley, Lee, McCulley, McMillan, McNair, Moore (O), Moore (W), Morris, Owens, Ray, Reed, Robertson, Smith (C), Smith (J), Sparks, Venable, Ward, Warren and Weeks.

—27

On motion of Mr. Merrill, the rules were suspended and the bill, S. 56 as thus amended, was read a third time at length and passed.

Yeas 97; Nays 3.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCullay, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—97

Nays: Messrs.: Coburn, Greer and Riddick.

—3

And the bill:

S. 50. (With Substitute): To conditionally appropriate the sum of

five million dollars to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of five million dollars (\$5,000,000), or so much thereof as may become available as herein provided, is hereby conditionally appropriated from the general fund of the State Treasury, for the fiscal year beginning October 1, 1978, to the use of the Department of Pensions and Security. The appropriation herein made is conditional upon the condition of the general fund of the State Treasury, as ascertained by the Governor, and shall be released only upon orders of the Governor.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, except as otherwise herein provided, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—96

And the bill, S. 50 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 2.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holmes

(A), Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—93

Nays: Messrs.: Gregg and Holley.

—2

RECESS

On motion of Mr. Manley, the House recessed until 2:00 o'clock p.m.

HOUSE RECONVENED

The hour of 2:00 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Owen, Pearson, and Higginbotham.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Johnson, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 56.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Greer, Hall, Harris, Hill, Hilliard, Holley, Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, Lutz, McCluskey, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—78

The Speaker appointed as a committee on the part of the House Messrs. Merrill, Sasser and Manley.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Martin, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bill, S. 81.

And the bill:

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Carothers, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hilliard, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—74

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Pegues, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bills S. 49 and S. 15.

And the bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Was taken up.

SUBSTITUTE OFFERED

Mr. Pegues offered the following substitute to the bill, S. 49:

A BILL
TO BE ENTITLED
AN ACT

To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The Medical Services Administration of the State of Alabama, the single State agency charged with responsibility for administer-

ing the Alabama Medicaid Program, is hereby authorized to contract, for periods not to exceed three years, with one or more fiscal intermediaries for the purpose of receiving, processing and paying claims for services rendered recipients of the Alabama Medicaid Program. Provided however, such contracts shall comply in all other respects with the provisions of the Alabama Competitive Bid Law as codified in Sections 41-16-20 through 41-16-32 of the Code of Alabama 1975, as amended.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed insofar as they apply to such contracts.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Edwards, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holley, Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Jolly, Killian, Kinsey, Lee, Leonard, Lockett, McCulley, McMillan, Manley, Martin, Merrill, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Smith (B), Smith (C), Smith (J), Smith (M), Starkey, Thomas, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, White, Williams, Wyatt and Younce.

—72

And the bill, S. 49 as thus amended, was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Holley, Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, Leonard, Lockett, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

And the bill:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

Was read a third time at length and passed.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Reed, Riddick, Roberts, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

Nays: Messrs.: Callahan and Ray.

—2

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Naramore, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 13.

And the bill:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Was read a third time at length and passed.

Yeas 85; *Nays* 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—85

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Killian, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 7.

And the bill:

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses, car pools and van pools from regulation by the Public Service Commission and municipalities.

Was read a third time at length and passed.

Yeas 78; *Nays* 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lutz, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Quarles, Ray, Roberts, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—78

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Johnson, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bill, S. 16 and S. 19.

And the bill:

S. 16. To amend Sections 32-1-1, 32-5-64, and 32-12-20, Code of Alabama 1975 so as to define a motorized bicycle and to provide that a motorized bicycle be treated as a separate and unique form of motor vehicle.

Was taken up.

MOTION TO POSTPONE

Mr. White offered the motion to postpone the bill, S. 16.

MOTION TO TABLE LOST

The motion offered by Mr. Johnson to table the motion offered by Mr. White, was lost.

Yeas 29; Nays 49.

Yeas:

Messrs.: Andrews, Buskey, Callahan, Campbell, Clark, Dial, Drake, Glass, Greer, Hill, Hilliard, Holley, Hopping, Howard, Jackson (R), Johnson, Kennedy, Lee, Leonard, McCulley, McNees, Naramore, Pegues, Plaster, Roberts, Robertson, Smith (B), Sonnier and Trammell.

—29

Nays:

Messrs.: Armstrong, Baker, Barron, Carothers, Carter, Cates, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Gafford, Goodwin, Gregg, Hall, Hines, Holmes (D), Jackson (F), Jolly, Kelley, Killian, Lutz, McNair, Manley, Mitchem, Moore (O), Moore (W), Morris, Owens, Quarles, Reed, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren, Weeks, Whatley, White and Williams.

—49

S. 16 POSTPONED

On motion of Mr. White, the bill, S. 16, was postponed until all non-controversial bills are passed.

Yeas 40; Nays 36.

Yeas:

Messrs.: Armstrong, Baker, Barron, Carothers, Carter, Cates, Crawford, Cross, Crowe, Dial, Falkenburg, Gafford, Gregg, Hall, Hines, Holmes (D), Jackson (F), Kelley, Killian, Lutz, McNair, Mitchem, Moore (O), Moore (W), Morris, Owens, Plaster, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Starkey, Towns, Venable, Whatley, White, Williams and Younce.

—40

Nays:

Messrs.: Albright, Andrews, Buskey, Campbell, Clark, Cooper, Drake, Glass, Greer, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnson, Kennedy, Langford, Lee, Leonard, Lockett, McCulley, McNees, Martin, Naramore, Pegues, Quarles, Reed, Roberts, Robertson, Smith (B), Sonnier, Thomas, Trammell, Turnham, Ward and Warren.

—36

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lutz, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 39.

And the bill:

S. 39. (With Amendment): To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 39 in the Synopsis by adding on line 9 before the word "appropriates" the following word:

conditionally

Further amend Senate Bill 39 in the Synopsis on line 9 by striking therefrom the figures "\$12,000,000" and inserting in lieu thereof the following figures:

\$6,000,000

Further amend Senate Bill 39 in the title, lines 18 through 22 by striking the title in its entirety and inserting in lieu thereof the following new title:

To conditionally appropriate from the Special Educational Trust Fund the sum of \$6,000,000 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama.

Further amend Senate Bill 39 on line 27 in Section 1 by striking the figures "\$6,000,000" and inserting in lieu thereof the figures:

\$3,000,000

Further Amend Senate Bill 39 in Section 2, line 30 by striking the figures "\$6,000,000" and inserting in lieu thereof the figures:

5th Day

\$3,000,000

Further amend Senate Bill 39 by adding a new section three (3) and renumbering the remaining sections accordingly:

Section 3. The above appropriations in Sections 1 and 2 will be conditioned on the availability of funds in the A.S.E.T.F. and released only on approval of the Governor.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Barron, Buskey, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (D), Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McMillan, McNair, McNees, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Plaster, Quarles, Reed, Roberts, Sasser, Shoemaker, Smith (B), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Wyatt and Younce.

—76

AMENDMENT OFFERED

Messrs. Smith (C) and Waggoner offered the following amendment to the bill, S. 39 as amended:

Amend Senate Bill 39, in the Title, line 22 by deleting the period, add instead a comma and after the comma add the following: "and for the University of Montevallo \$400,000.00"

Further Amend Senate Bill 39, on line 27 by deleting the period, add a comma and after the comma add the following: "and to the University of Montevallo \$400,000.00"

MOTION TO TEMPORARILY POSTPONE TABLED

On motion of Mr. Lutz, the motion offered by Mr. Callahan to temporarily postpone further consideration of the bill, S. 39 as amended and with pending amendment, was tabled.

Yeas 47; Nays 24.

Yeas:

Messrs.: Albright, Armstrong, Baker, Buskey, Clark, Cooper, Cross, Drake, Ford, Goodwin, Gregg, Harrison, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (F), Jackson (R), Jolly, Kelley, Kennedy, Killian, Langford, Lee, Leonard, Lockett, Lutz, McNees, Mitchem, Moore (W), Morris, Owens, Plaster, Ray, Reed, Riddick, Roberts, Robertson, Shoemaker, Smith (B), Sonnier, Starkey, Thomas, Ward, Wyatt and Younce.

—47

Nays:

Messrs.: Andrews, Callahan, Campbell, Coburn, Crawford, Dial, Falkenburg, Gafford, Glass, Greer, Hall, Hill, Holmes (D), Moore (O), Sasser, Smith (M), Sparks, Towns, Trammell, Turnham, Venable, Weeks, White and Williams.

—24

AMENDMENT ADOPTED

The question was then on the amendment offered by Messrs. Smith (C) and Waggoner, to the bill, S. 39 as amended, and the amendment was adopted.

Yeas 50; Nays 16.

Yeas:

Mr. Speaker, Albright, Baker, Callahan, Campbell, Cates, Coburn, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Hilliard, Holley, Kelley, Killian, Kinsey, McMillan, McNees, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White and Younce.

—50

Nays:

Messrs.: Andrews, Armstrong, Buskey, Harrison, Holmes (A), Holmes (D), Howard, Jackson (R), Kennedy, Langford, Leonard, Robertson, Smith (B), Starkey, Ward and Wyatt.

—16

AMENDMENT OFFERED

Mr. Turnham offered the following amendment to the bill, S. 39 as amended:

Amend S. B. 39 as substituted by adding a new Section 2 as follows and renumbering subsequent sections:

“Auburn University Main Campus:

For An Engineering Laboratory Building\$6,000,000”

The above appropriation shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Turnham to the bill, S. 39 as amended, was tabled.

Yeas 48; Nays 26.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Buskey, Clark, Cooper, Cross, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hilliard, Holley, Holmes (A), Howard, Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McMillan, McNair, McNees, Martin, Mitchem, Moore (W), Plaster, Riddick, Roberts, Smith (B), Sonnier, Sparks, Starkey, Thomas, Ward, Warren, Whatley and Wyatt.

—48

Nays:

Messrs.: Andrews, Baker, Carothers, Cates, Crawford, Ford, Hill, Holmes (D), Hopping, Jackson (F), Moore (O), Morris, Owens, Quarles, Ray, Reed, Sandusky, Shelton, Smith (C), Smith (J), Smith (M), Turnham, Venable, Weeks, Williams and Younce.

—26

AMENDMENT OFFERED

Mr. Gafford offered the following amendment to the bill, S. 39 as amended:

Amend S. B. 39 as substituted by adding on line 22 page 1 as amended by adding \$1,000,000.00 conditional for T. A. Lawson State Community College, Gadsden State Junior College conditional \$1,000,000.00

further amend S. B. 39 by changing the period after the word acquisition for a comma and adding on line 27 \$1,000,000.00 conditional for T. A. Lawson State Community College, conditional for Gadsden State Junior College \$1,000,000.00

AMENDMENT TABLED

On motion of Mr. Lutz, the amendment offered by Mr. Gafford to the bill, S. 39 as amended, was tabled.

Yeas 47; Nays 29.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Buskey, Clark, Cross, Drake, Glass, Gregg, Harris, Harrison, Holley, Holmes (A), Howard, Jackson (F), Johnson, Johnstone, Kelley, Kennedy, Kinsey, Langford, Lee, Lockett, Lutz, McCulley, McMillan, McNees, Martin, Mitchem, Moore (W), Naramore, Owens, Paster, Quarles, Riddick, Roberts, Shoemaker, Smith (B), Smith (J), Sparks, Venable, Ward, Warren, Whatley and Wyatt.

—47

Nays:

Messrs.: Andrews, Carothers, Coburn, Crawford, Dial, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Holmes (D), Jackson (R), Leonard, Moore (O), Morris, Ray, Shelton, Smith (C), Smith (M), Thomas, Trammell, Turnham, Weeks, White, Williams and Younce.

—29

And the bill, S. 39 as thus amended, was read a third time at length and passed.

Yeas 77; Nays 13.

Yeas:

Mr. Speaker, Albright, Armstrong, Barron, Buskey, Carothers, Carter, Cates, Clark, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Gregg, Hall, Harris, Harrison, Hilliard, Hines, Holley, Holmes (A), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Sandusky, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Ward, Warren, White, Williams and Wyatt.

—77

Nays:

Messrs.: Andrews, Baker, Coburn, Crawford, Ford, Holmes (D), Sasser, Shelton, Smith (M), Turnham, Weeks, Whatley and Younce.

—13

RESOLUTION

The following resolution was introduced:

By Messrs. Gafford, Jackson (R), Biddle, Armstrong, Waggoner, Falkenburg, White, Moore (O), Trammell, Andrews, Jolly, Hilliard, Leonard, Howard, Hopping, Thomas, Hall and Harrison:

H. R. 69. COMMENDING MR. CHRIS McNAIR FOR OUTSTANDING SERVICE IN THE ALABAMA HOUSE OF REPRESENTATIVES.

WHEREAS, our friend and colleague, Mr. Chris McNair, has most capably served as a member of the Alabama House of Representatives for the past six years and, for the last four years, has also served as Chairman of the Jefferson County Delegation; and

WHEREAS, he has unquestionably served his constituents well, working diligently and enthusiastically for the enrichment of the needs of his district, as he has indeed for the progress and betterment of the entire State of Alabama; and

WHEREAS, as Chairman of the Jefferson County Delegation, Chris McNair has, at all times, conducted himself in a manner to be emulated by those in positions of leadership and authority; and

WHEREAS, though he is our esteemed associate in the House, Chris McNair is first and foremost our respected friend, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we most highly commend Representative Chris McNair for exceptional service as a member of this body, voicing our deep appreciation for his many cooperative contributions and for his capable performance of duty.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. McNair as a token of our appreciation and esteem and that he may know of our warm good wishes for his every future success.

On motion of Mr. Gafford, the rules were suspended and the resolution, H. R. 69, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Riddick, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 35.

And the bill:

S. 35. To amend Section 40-18-20 of the Code of Alabama 1975, relating to a state income tax exemption for military retirement benefits so as to provide further for such exemption.

Was taken up.

AMENDMENT OFFERED

Mr. Hill offered the following amendment to the bill, S. 35:

Amend S. B. 35 at line 36 after the words "deduct therefor" by adding the following:

"and any person retired from the Tennessee Valley Authority and any survivor thereto derived therefrom"

5th Day

AMENDMENT INDEFINITELY POSTPONED

On motion of Mr. Riddick, the amendment No. 1 offered by Mr. Hill to the bill, S. 35, was indefinitely postponed.

Yeas 32; Nays 10.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Callahan, Carothers, Carter, Cooper, Cross, Glass, Gregg, Harris, Holley, Holmes (D), Johnstone, Kelley, Killian, Kinsey, Lutz, McMillan, Mitchem, Naramore, Pegues, Plaster, Quarles, Sandusky, Sasser, Starkey, Venable, Warren, Wyatt and Younce.

—32

Nays:

Messrs.: Andrews, Coburn, Crawford, Jolly, Kennedy, Moore (O), Smith (M), Trammell, Weeks and Williams.

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Also:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Also:

H. 164. To provide for distinctive motorcycle license plates for Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Also:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session

1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 23. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. Relating to the City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Also:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Also:

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health: to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Also:

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration,

and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Also:

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Also:

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628, Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

Also:

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Also:

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Also:

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Also:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Also:

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Also:

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Also:

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 53. Relating to Mobile County; to prohibit motor-cross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Also:

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Also:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Ac No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Also:

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Also:

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature ap-

proved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Also:

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Also:

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Also:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide for the salary and expense allowance of the coroner.

Also:

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Also:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Also:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities

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ties in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Also:

H. 118. To alter and rearrange the boundaries of the Town of Arton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Also:

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Also:

H. 70. To propose an amendment to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

Also:

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Also:

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers; probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Also:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Also:

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Also:

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Also:

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Also:

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Also:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Also:

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Also:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Also:

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Also:

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

Also:

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Also:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

Also:

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property re-appraisal; and making the provisions of the act retroactive.

Also:

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bills:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Also:

S. 50. To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

McDOWELL LEE,
Secretary.

S. 35 RESUMED MOTION TO POSTPONE

Mr. Cates offered the motion to postpone the bill, S. 35, to the seventh legislative day.

MOTION TO TABLE LOST

The motion offered by Mr. Riddick to table the motion offered by Mr. Cates to postpone the bill, S. 35, to the seventh legislative day, was lost.

Yeas 35; Nays 38.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Callahan, Carothers, Cooper, Dial, Drake, Glass, Gregg, Hines, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Leonard, Lutz, Martin, Quarles, Reed,

Sandusky, Sasser, Smith (B), Smith (J), Sonnier, Turnham, Warren, Williams, Wyatt and Younce.

—35

Nays:

Messrs.: Andrews, Campbell, Carter, Coburn, Crawford, Cross, Goodwin, Hall, Harrison, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Langford, Lee, McNair, McNees, Mitchem, Moore (O), Moore (W), Naramore, Ray, Roberts, Shelton, Shoemaker, Smith (M), Sparks, Thomas, Trammell, Venable, Ward, Weeks, Whatley and White.

—38

MOTION TO POSTPONE LOST

The question was then on the motion offered by Mr. Cates to postpone the bill, S. 35, to the seventh legislative day, and the motion was lost.

Yeas 32; Nays 41.

Messrs.: Andrews, Armstrong, Baker, Campbell, Carter, Cates, Coburn, Crawford, Cross, Goodwin, Hilliard, Holmes (A), Howard, Jolly, Kennedy, Langford, Lee, McNair, McNees, Mitchem, Moore (O), Naramore, Roberts, Smith (M), Sparks, Thomas, Trammell, Venable, Ward, Weeks, Whatley and White.

—32

Nays:

Mr. Speaker, Barron, Buskey, Callahan, Carothers, Cooper, Drake, Ford, Glass, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Killian, Kinsey, Leonard, Lutz, Martin, Plaster, Quarles, Reed, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (J), Sonnier, Turnham, Waggoner, Warren, Williams, Wyatt and Younce.

—41

AMENDMENT OFFERED

Mr. Moore (W) offered the following amendment to the bill, S. 35:

Renumber Section 3 to Section 4 and add a new Section 3 as follows:

Provided that nothing herein shall provide any exemptions to any retiree who draws retirement benefits from two or more Retirement systems.

AMENDMENT TABLED

On motion of Mr. Riddick, the amendment offered by Mr. Moore (W) to the bill, S. 35, was tabled.

Yeas 44; Nays 38.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Callahan, Carothers, Clark, Cooper, Drake, Falkenburg, Glass, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lutz, McNair, Martin, Morris, Plaster, Quarles, Ray, Reed, Riddick, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Turnham, Warren, Williams, Wyatt and Younce.

—44

Nays:

Messrs.: Andrews, Armstrong, Campbell, Carter, Cates, Coburn, Crawford, Cross, Edwards, Ford, Goodwin, Hall, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Langford, Lee, Leonard, Lockett, Mitchem, Moore (O), Moore (W), Naramore, Pegues, Roberts, Robertson, Smith (M), Sparks, Thomas, Trammell, Ward, Weeks, Whatley and White.

—38

AMENDMENT OFFERED

Mr. Hill offered the following amendment No. 2 to the bill, S. 35:

Amend S. B. 35 by striking the words:

“from the military services by persons retired from the military service of the United States of America.”

MOTION TO TEMPORARILY POSTPONE

Mr. Cates offered the motion to temporarily postpone consideration of the bill, S. 35 and pending amendment.

MOTION TO TABLE LOST

The motion offered by Mr. Riddick to table the motion to temporarily postpone offered by Mr. Cates, was lost.

Yeas 38; Nays 39.

Yeas:

Mr. Speaker, Barron, Buskey, Callahan, Carothers, Cooper, Ford, Glass, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Johnson, Johnstone, Killian, Kinsey, Lutz, Moore (W), Morris, Plaster, Quarles, Reed, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Turnham, Waggoner, Warren, Williams, Wyatt and Younce.

—38

Nays:

Messrs.: Andrews, Armstrong, Baker, Campbell, Cates, Clark, Coburn, Crawford, Cross, Dial, Edwards, Falkenburg, Goodwin, Harrison, Hilliard, Holmes (A), Howard, Jackson (F), Jackson (R), Jolly, Kelley, Kennedy, Langford, Lee, Lockett, McNees, Mitchem, Moore (O), Naramore, Roberts, Smith (M), Sparks, Thomas, Trammell, Venable, Ward, Weeks, Whatley and White.

—39

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Hopping not voting on the bill, S. 35, as he draws a steel workers pension.

MOTION TO POSTPONE LOST

The motion offered by Mr. Cates to postpone the bill, S. 35 and pending amendment, was lost.

Yeas 37; Nays 47.

Yeas:

Messrs.: Andrews, Armstrong, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Dial, Falkenburg, Goodwin, Hall, Harrison, Holmes (A), Howard, Jackson (F), Jolly, Kennedy, Langford, Lee, Lockett, McNair.

Mitchem, Moore (O), Moore (W), Naramore, Ray, Roberts, Robertson, Shoemaker, Smith (M), Sparks, Trammell, Ward, Weeks and Whatley.

—37

Nays:

Mr. Speaker, Albright, Barron, Callahan, Carothers, Cooper, Drake, Ford, Glass, Gregg, Harris, Hill, Hilliard, Hines, Holley, Holmes (D), Jackson (R), Johnson, Johnstone, Kelley, Killian, Kinsey, Leonard, Lutz, McNees, Martin, Merrill, Morris, Plaster, Quarles, Reed, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Thomas, Turnham, Venable, Warren, White, Williams, Wyatt and Younce.

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AMENDMENT TABLED

The question was then on the amendment No. 2 previously offered by Mr. Hill to the bill, S. 35, and on motion of Mr. Riddick, the amendment was tabled.

Yeas 42; Nays 37.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Callahan, Carothers, Cooper, Dial, Drake, Ford, Gafford, Glass, Gregg, Harris, Hines, Holley, Holmes (D), Johnson, Johnstone, Kelley, Killian, Kinsey, McMillan, Martin, Merrill, Morris, Quarles, Reed, Riddick, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Turnham, Venable, Warren, Williams, Wyatt and Younce.

—42

Nays:

Messrs.: Andrews, Armstrong, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Edwards, Goodwin, Hall, Harrison, Hill, Hilliard, Holmes (A), Howard, Jackson (R), Jolly, Kennedy, Langford, Lee, Leonard, Lockett, McNees, Mitchem, Moore (O), Moore (W), Naramore, Roberts, Robertson, Smith (M), Sparks, Thomas, Trammell, Ward and Weeks.

—37

AMENDMENT OFFERED

Mr. Howard offered the following amendment to the bill, S. 35:

Amend S. B. 35 by adding the following words to the end of Section 1, page 2, line 10, viz:

This same income tax exemption shall be granted or any retirement income or benefits derived from any person having served or been employed as a steel worker.

AMENDMENT TABLED

On motion of Mr. Riddick, the amendment offered by Mr. Howard to the bill, S. 35, was tabled.

Yeas 42; Nays 37.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Callahan, Carothers, Cooper, Dial, Drake, Ford, Gafford, Glass, Gregg, Harris, Hines, Holley, Holmes (D), Johnson, Johnstone, Kelley, Killian, Kinsey, McMillan, Martin, Merrill, Morris, Quarles, Reed Riddick, Sandusky, Sasser, Shelton, Smith (B),

Smith (C), Smith (J), Sonnier, Turnham, Venable, Warren, Williams, Wyatt and Younce.

—42

Nays:

Messrs.: Andrews, Armstrong, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Edwards, Goodwin, Hall, Harrison, Hill, Hilliard, Holmes (A), Howard, Jackson (R), Jolly, Kennedy, Langford, Lee, Leonard, Lockett, McNeas, Mitchem, Moore (O), Moore (W), Naramore, Roberts, Robertson, Smith (M), Sparks, Thomas, Trammell, Ward and Weeks.

—37

And the bill, S. 35, was read a third time at length and lost, lacking a two-thirds vote.

Yeas 49; Nays 38.

Yeas:

Mr. Speaker, Albright, Baker, Barron, Biddle, Callahan, Carothers, Cooper, Dial, Drake, Ford, Glass, Gregg, Harris, Hill, Hines, Holley, Holmes (D), Jackson (F), Johnson, Johnstone, Killian, Kinsey, Leonard, Lockett, Lutz, McMillan, McNeas, Martin, Morris, Plaster, Quarles, Ray, Reed, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Turnham, Venable, Waggoner, Warren, White, Williams, Wyatt and Younce.

—49

Nays:

Messrs.: Andrews, Armstrong, Buskey, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Falkenburg, Gafford, Hall, Harrison, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kelley, Kennedy, Langford, Lee, Mitchem, Moore (O), Moore (W), Naramore, Roberts, Robertson, Smith (M), Sonnier, Sparks, Thomas, Trammell, Ward, Weeks and Whatley.

—38

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lee, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 28.

Yeas 40; Nays 0.

Yeas:

Messrs.: Armstrong, Baker, Barron, Clark, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Harris, Hines, Holmes (D), Howard, Jackson (F), Johnson, Kennedy, Lee, Leonard, McNeas, Martin, Mitchem, Moore (O), Morris, Naramore, Plaster, Quarles, Ray, Roberts, Robertson, Shoemaker, Sparks, Trammell, Venable, Weeks, Wyatt and Younce.

—40

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 28. To exempt the Phoenix House, Inc., of Tuscaloosa; the Tuscaloosa County Historical and Preservation Society of Tuscaloosa; the Arts

and Humanities Council of Tuscaloosa County, Inc.; and the Junior League of Tuscaloosa, Inc., from the payment of all state, county, and municipal sales and use taxes.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Biddle, Campbell, Clark, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Goodwin, Hall, Harrison, Holley, Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Killian, Kinsey, Lee, Leonard, McNees, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sparks, Venable, Ward, Weeks, White and Younce.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McMillan, the House concurred in and adopted the Senate amendment to the bill, H. 138, said Senate amendment being as follows:

On page 3, line 33, strike the word "Orange" and insert in lieu thereof the following:

Orchard

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Carter, Cates, Clark, Cross, Crowe, Drake, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Hill, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Killian, Kinsey, Lee, Leonard, Lutz, McNees, Martin, Mitchem, Moore (O), Moore (W), Morris, Plaster, Quarles, Ray, Robertson, Sandusky, Sasser, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Trammell, Venable, Ward, Warren, Weeks, White, Wyatt and Younce.

—53

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563

And the bill, H. 138 as thus amended, was again read at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Albright, Armstrong, Baker, Barron, Biddle, Carter, Cates, Clark, Cooper, Cross, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Hall, Hill, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Killian, Kinsey, Lee, Lutz, Martin, Mitchem, Moore (O), Moore (W), Morris, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shoemaker, Smith (B), Smith (J), Sparks, Starkey, Trammell, Turnham, Venable, Ward, Warren, White, Wyatt and Younce.

—53

H. 10 TEMPORARILY POSTPONED

On motion of Mr. McCorquodale, the bill, H. 10 with Senate amendment was temporarily postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Harris, the rules were suspended in order to postpone all bills on the Calendar in order to reach the bill, S. 52.

Yeas 47; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Campbell, Carter, Cates, Clark, Crawford, Cross, Edwards, Glass, Goodwin, Greer, Gregg, Harris, Hilliard, Holley, Jackson (F), Johnstone, Killian, Kinsey, Lee, Lutz, McNees, Martin, Mitchem, Moore (O), Moore (W), Morris, Plaster, Quarles, Ray, Riddick, Roberts, Robertson, Sasser, Smith (B), Smith (J), Trammell, Venable, Ward, Warren, Weeks, White and Wyatt.

—47

Nays:

Messrs.: Harrison, Holmes (A), Jackson (R), Kennedy, Leonard, Turnham and Younce.

—7

And the bill:

S. 52. (With Amendment): To exempt the Grand Chapter of the Order of the Eastern Star and the South Alabama State Fair Association of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend S. B. 52 by adding after the words "South Alabama State Fair Association" wherever they appear the following: "Southeastern Livestock Exposition"

And the amendment was adopted.

Yeas 49; Nays 5.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle,

Campbell, Cates, Clark, Cross, Drake, Edwards, Glass, Goodwin, Greer, Gregg, Harris, Hilliard, Holley, Jackson (F), Johnstone, Killian, Kinsey, Lee, Lutz, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Thomas, Towns, Trammell, Turnham, Ward, Warren, Weeks, White and Wyatt.

—49

Nays:

Messrs.: Holmes (A), Howard, Langford, Leonard and McNees.

—5

AMENDMENT OFFERED

Mr. Holmes (A) offered the following amendment to the bill, S. 52 as amended:

Amend said bill by inserting wherever Eastern Star Appears "all order of the Eastern Star,

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carter, Clark, Coburn, Cooper, Cross, Drake, Edwards, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kennedy, Killian, Kinsey, Langford, Leonard, McNees, Moore (O), Moore (W), Naramore, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Smith (B), Smith (J), Starkey, Towns, Trammell, Venable, Ward, Warren, Weeks, Wyatt and Younce.

—55

And the bill, S. 52 as thus amended, was read a third time at length and passed.

Yeas 68; Nays 3.

Yeas:

Mr. Speaker, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carter, Cates, Clark, Coburn, Cooper, Cross, Dial, Drake, Edwards, Gafford, Glass, Goodwin, Greer, Harris, Hill, Hilliard, Holley, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, McNees, Manley, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sasser, Shoemaker, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, White, Wyatt and Younce.

—68

Nays: Messrs.: Harrison, Holmes (A) and Howard.

—3

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

5th Day

S. 8. Relating to Walker County; to amend Sections 3, 4, 9 and 10 of Act No. 356, S. 502, 1971 Regular Session, approved August 19, 1971 (Acts 1971, p. 652), which provides for the construction, maintenance and repair of public roads and bridges in Walker County, so as to earmark ninety-five percent of all revenue received by the Walker County Commission from the coal severance tax provided for in Act No. 598, H. 643, 1977 Regular Session (Acts 1977, p. 799) for use in the maintenance and construction of roads in Walker County effective October 1, 1978; so as to divide funds in the county road and bridge fund equally among the commission districts of the county; and, so as to make certain powers vested in the county engineer subject to the approval of a majority of the members of the county commission.

Also:

S. 23. Relating to Tallapoosa County; providing further for the hunting and taking of raccoons and opossums in said County.

Also:

S. 48. To amend Section 34-5-15, Code of Alabama 1975, which relates to the registration and licensing of barbers and barber apprentices in this state, so as to add Marengo County to the list of counties to which the state law does not apply.

Also:

S. 57. To amend the title and Section 3 of Act No. 581, S. 641, Regular Session 1977 (Acts 1977, p. 773) relating to Baldwin County and providing for a more convenient and economical system of serving notices to delinquent taxpayers so as to relieve the tax collector of duties relating to service of notice to delinquent taxpayers and provide for the county commission to pay all advertising costs for notices required by said act and publication of notice of sale by the tax collector.

Also:

S. 64. To regulate the expense allowances in the Twenty-Eighth Judicial Circuit for district judges; and to provide for retroactive effect.

Also:

S. 71. Relating to Baldwin County; providing for the fixing of a fee for the issuance of a pistol permit by the sheriff; providing for the disposition and use of such fees; and giving this act retroactive effect.

Also:

S. 72. Relating to Baldwin County; providing further for an additional expense allowance for the tax assessor and the tax collector.

Also:

S. 86. Relating to the 36th Judicial Circuit; providing for an increase in salary supplement for the circuit judge of said circuit.

Also:

S. J. R. 6. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

S. J. R. 8. MOURNING THE TRAGIC DEATH OF MONTGOMERY POLICE OFFICER ROBERT C. USSERY.

Also:

S. J. R. 10. HONORING DR. MAMIE LABON FOSTER UPON HER RETIREMENT AFTER FORTY-SIX YEARS SERVICE WITH THE JEFFERSON COUNTY SCHOOL SYSTEM.

Also:

S. J. R. 14. COMMENDING DR. FRANK W. McCORKLE, PROMINENT GADSDEN PHYSICIAN.

Also:

S. J. R. 15. MOURNING THE DEATH OF MR. CLYDE A. DONEHOO.

Also:

S. J. R. 17. COMMENDING CHEROKEE COUNTY HIGH SCHOOL, 1978 STATE 3A TRACK CHAMPIONS.

Also:

S. J. R. 19. MOURNING THE DEATH OF MR. WALTER HAMMOND, PROMINENT BALDWIN COUNTY BUSINESSMAN AND CIVIC LEADER.

Also:

S. J. R. 21. MOURNING THE DEATH OF JESSE EUGENE LANIER, FORMER LONGTIME MAYOR OF BESSEMER, ALABAMA.

Also:

S. J. R. 29. URGING THE ALABAMA COMMISSIONER OF AGRICULTURE AND INDUSTRIES AND THE AUBURN COOPERATIVE EXTENSION SERVICE TO WORK WITH THE FEDERAL DRUG ADMINISTRATION TO STAMP OUT AFLATOXIN WHICH IS AFFECTING THE CORN CROP IN ALABAMA.

Also:

S. 41. To revise existing bail practices in the courts within the Fifteenth Judicial Circuit; establishes a more lenient form of qualification for property bail; and establishes a board to regulate the licensing of professional bail agents.

Also:

S. 50. To make a conditional appropriation from the general fund of the State Treasury, to the Department of Pensions and Security for the fiscal year beginning on October 1, 1978.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

5th Day

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 7. To amend Sections 37-3-4 and 37-3-33 of the Code of Alabama 1975 so as to exempt church owned buses car pools and van pools from regulation by the Public Service Commission and municipalities.

Also:

S. 13. To amend Section V of Act No. 551, Regular Session 1975, the Act known as the "Alabama Surface Mining Reclamation Act of 1975" so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer the Federal Initial Regulatory Program and to receive federal grants.

Also:

S. 81. To amend Section 25 of Act No. 584, H. 426, 1978 Regular Session (Acts of Alabama 1978, p. 667), which relates to voter registration and county boards of registrars, so as to provide that certain voting lists prepared and published in 1978 do not have to be republished.

Also:

S. 15. To propose and provide for the submission of an amendment to Section 110 of the Constitution of Alabama of 1901.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCluskey, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 70.

And the bill:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Was read a third time at length and passed.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Ford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McNees, Martin, Mitchem, Moore (O),

Moore (W), Naramore, Owens, Peques, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Warren, Weeks, White and Wyatt.

—74

Nay: Mr. Howard.

—1

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turnham, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 26.

And the bill:

S. 26. To direct the Alabama Historical Commission to erect a monument on the state capitol grounds in Montgomery, Alabama, in honor of Senator James B. Allen, to appropriate certain money to carry out the purpose of this act.

Was taken up.

AMENDMENT OFFERED

Mr. Holmes (A) offered the following amendment to the bill, S 26:

Amend S. B. 26 by adding \$40,000 for a monument on the state capitol grounds in Montgomery, Alabama in honor of Dr. Martin Luther King.

MOTION TO POSTPONE

Mr. Holley offered the motion to postpone consideration of the bill, S. 26 with pending amendment, to the sixth legislative day.

SUBSTITUTE MOTION ADOPTED

On substitute motion offered by Mr. Reed, the bill, S. 26 with pending amendment, was temporarily postponed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Cooper, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Hall, Harrison, Hill, Hilliard, Holly, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Pegues, Quarles, Ray, Riddick, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sonnier, Sparks, Taylor, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—76

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Williams, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 38.

And the bill:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the

5th Day

purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Harrison, Hill, Hilliard, Holley, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McNeas, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Venable, Waggoner, Ward, Warren, Weeks, Whatley White, Williams Wyatt and Younce.

—77

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Falkenburg, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, H. 5.

And the bill:

H. 5. To provide for the definition of death in cases where respiratory and cardiac functions are maintained by artificial means, to further provide that nothing in the Act shall be construed to prohibit a physician from using customary procedures for determining death in other cases, and to make additional provisions pertaining to the determination of death in those cases in which some part of the body is to be donated for transplantation.

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Buskey, Campbell, Carothers, Carter, Cates, Clark, Cross, Dial, Falkenburg, Gafford, Goodwin, Greer, Gregg, Hall, Hill, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Lutz, Martin, Merrill, Mitchem, Owens, Pegues, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Thomas, Venable, Weeks, Whatley, White, Williams, Wyatt and Younce.

—58

RESOLUTION

The following resolution was introduced:

By Messrs. Williams, White, Crawford, Shoemaker, Holley, Kinsey, Dial, Waggoner and Venable:

H. R. 70. COMMENDING GRADY PERDUE ON HIS WORK WITH THE ALABAMA HOUSE OF REPRESENTATIVES.

WHEREAS, Grady Perdue was appointed Executive Assistant to Governor George C. Wallace on July 31, 1974, serving in the Governor's

second and third administrations as a member of the Governor's staff; and

WHEREAS, he served as the Governor's secretary to the House of Representatives during the Regular and Special Sessions of 1977 and 1978; and

WHEREAS, Grady Perdue has done an excellent job in his endeavors in working with the membership of the Alabama House of Representatives and coordinating the Governor's legislative program; and

WHEREAS, he has shown great understanding of, and appreciation for the legislative process; and

WHEREAS, Grady Perdue is well liked and respected by the membership of the Alabama House of Representatives; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That this body wishes to express its sincere appreciation to Grady Perdue for his valuable assistance during the past four years and wishes him well in all future endeavors.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Grady Perdue and to Governor George C. Wallace.

On motion of Mr. Williams, the rules were suspended and the resolution, H. R. 70, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to postpone all bills on the Calendar to reach the bill, S. 73.

And the bill:

S. 73. (With Substitute): To appropriate one million dollars (\$1,000,000.00) to the state highway department from the state general fund as an emergency appropriation to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

Was taken up.

The question was then on the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To make a conditional appropriation to the state highway department, from the state general fund as an emergency appropriation, to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one million dollars (\$1,000,000), or so much thereof as may become available as herein provided, is hereby appropriated to the state highway department, from the state general fund, to be used to repair roads and bridges in Baldwin County damaged by the torrential rains and floods on the 26th day of July, 1978. The appropriation made herein is supplemental and conditional upon the con-

dition of the state general fund, as ascertained by the Governor, and shall be released only upon the orders of the Governor. Should any of said funds be unused and uncommitted at the end of the current state fiscal year, such funds shall not revert to the general fund at the end of the current fiscal year but shall automatically be encumbered and carried over into subsequent state fiscal years.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 37; Nays 22.

Yeas:

Mr. Speaker, Albright, Andrews, Biddle, Buskey, Callahan, Carter, Clark, Cooper, Drake, Glass, Goodwin, Gregg, Hall, Holmes (A), Holmes (D), Jackson (F), Johnson, Kelley, Kinsey, McMillan, Merrill, Mitchem, Owens, Quarles, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (J), Sonnier, Turnham, Waggoner, Weeks and Younce.

—37

Nays:

Messrs.: Barron, Campbell, Carothers, Crawford, Cross, Dial, Ford, Harris, Harrison, Hilliard, Hopping, Jackson (R), Jolly, Langford, Leonard, Lockett, Ray, Thomas, Venable, Whatley, Williams and Wyatt.

—22

And the bill, S. 73 as thus amended, was read a third time at length and lost, lacking a two-thirds vote.

Yeas 41; Nays 33.

Yeas:

Mr. Speaker, Andrews, Biddle, Buskey, Callahan, Carter, Clark, Cooper, Drake, Falkenburg, Gafford, Glass, Goodwin, Greer, Hill, Hines, Holmes (D), Jackson (F), Johnstone, Kelley, Kinsey, McMillan, McNees, Mitchem, Moore (O), Moore (W), Owens, Quarles, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (C), Smith (J), Sonnier, Waggoner, Warren, Weeks, White and Younce.

—41

Nays:

Messrs.: Armstrong, Baker, Barron, Campbell, Cates, Crawford, Cross, Ford, Hall, Harris, Harrison, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Langford, Leonard, Lockett, Manley, Morris, Pegues, Plaster, Ray, Sparks, Thomas, Trammell, Venable, Ward, Whatley, Williams and Wyatt.

—33

RESOLUTION

The following resolution was introduced:

By Mr. Waggoner:

H. J. R. 71. NAMING THAT SECTION OF U.S. HIGHWAY 31 WITHIN THE CITY LIMITS OF ALABASTER, "THE BARRY DURRETT MEMORIAL HIGHWAY."

WHEREAS, the Legislature of Alabama has grievously noted the

tragic and untimely death of young Barry Daniel Durrett on July 12, 1978, at the early age of 15; and

WHEREAS, Barry Durrett, son of Mr. and Mrs. James Durrett, was born December 9, 1962, in Gadsden, Alabama, but for most of his life, he was a resident of Alabaster in Jefferson County; and

WHEREAS, young Barry was a victim of cancer and although he succumbed to the ravages of this dread disease, he fought valiantly for his life with courage and maturity far beyond his years and with bravery that can only serve as a shining example to others faced with adversity in life; and

WHEREAS, an "A" honor student at Thompson High School in Alabaster, Barry was an avid sports fan and was also a member of his school's football team; his school friends were countless in number as were those he joined in worship at the Suluria Baptist Church to which he belonged; and

WHEREAS, he is survived by his parents, his brother, Greg, and by his grandmothers, Mrs. Annie Durrett and Mrs. Artie Bradley, with whom we deeply share the sorrow of their great loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in cherished memory of Barry Daniel Durrett, this body hereby names and designates that section of U.S. Highway 31 within the city limits of Alabaster, Jefferson County, Alabama, "The Barry Durrett Memorial Highway."

BE IT FURTHER RESOLVED, That the proper authorities are hereby authorized and directed to erect and maintain appropriate signs and markers so designating said highway as "The Barry Durrett Memorial Highway."

RESOLVED FURTHER, That a copy of this resolution be sent to Mr. and Mrs. James Durrett as but a token of this commemorative designation honoring their beloved son, Barry.

On motion of Mr. Waggoner, the rules were suspended and the resolution, H. J. R. 71, was adopted.

MOTION TO POSTPONE BILLS

Mr. Dial offered the motion to postpone all bills on the Calendar to reach the bill, S. 85.

MOTION TO TABLE LOST

The motion offered by Mr. Armstrong to table the motion to postpone bills offered by Mr. Dial, was lost.

Yeas 37; Nays 41.

Yeas:

Messrs.: Andrews, Armstrong, Barron, Carothers, Carter, Cates, Cooper, Dial, Gafford, Glass, Harris, Harrison, Hilliard, Holley, Howard, Jackson (R), Johnstone, Jolly, Killian, Leonard, McNees, Moore (O), Plaster, Quarles, Ray, Reed, Robertson, Smith (C), Smith (M), Thomas, Trammell, Turnham, Venable, Whatley, White, Wyatt and Younce.

—37

Nays:

Mr. Speaker, Albright, Baker, Biddle, Callahan, Campbell, Clark, Crawford, Cross, Crowe, Edwards, Ford, Goodwin, Hall, Hill, Holmes (D),

5th Day

Jackson (F), Johnson, Kelley, Kennedy, Kinsey, Lee, Lockett, Lutz, McCluskey, McMillan, Manley, Merrill, Mitchem, Moore (W), Morris, Naramore, Pegues, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Waggoner, Weeks and Williams.

—41

MOTION TO POSTPONE BILLS ADOPTED

The question was again on the motion offered by Mr. Dial to postpone all bills on the Calendar in order to reach the bill, S. 85, and the motion was adopted.

Yeas 47; Nays 21.

Yeas:

Mr. Speaker, Andrews, Baker, Biddle, Callahan, Campbell, Carothers, Carter, Crowe, Dial, Ford, Hall, Hill, Hilliard, Holmes (D), Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Kennedy, Kinsey, Lockett, Lutz, McCluskey, McMillan, McNees, Merrill, Mitchem, Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Sandusky, Shelton, Smith (B), Smith (C), Sonnier, Towns, Turnham, Waggoner, Warren and Wyatt.

—47

Nays:

Messrs.: Armstrong, Clark, Cross, Gafford, Glass, Goodwin, Gregg, Harris, Holley, Jackson (R), Lee, Leonard, Moore (O), Reed, Robertson, Starkey, Thomas, Trammell, Weeks, Whatley and White.

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RULING QUESTIONED

Mr. Cates questioned the vote on the previous motion, that the rules must be suspended in order to postpone bills on the Calendar to reach a certain bill, and the question was sustained.

MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. Dial to suspend the rules in order to postpone bills on the Calendar in order to reach the bill, S. 85, and the motion was lost, lacking a four-fifths vote.

Yeas 48; Nays 26.

Yeas:

Mr. Speaker, Andrews, Biddle, Callahan, Campbell, Carothers, Crowe, Dial, Edwards, Ford, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Kennedy, Kinsey, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Merrill, Mitchem, Naramore, Pegues, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Sonnier, Starkey, Thomas, Towns, Waggoner, Warren, Weeks and Williams.

—48

Nays:

Messrs.: Armstrong, Baker, Barron, Carter, Cates, Clark, Crawford, Gafford, Glass, Holley, Howard, Jolly, Langford, Lee, Leonard, Morris, Plaster, Quarles, Ray, Reed, Smith (C), Smith (M), Trammell, Whatley, Wyatt and Younce.

—26

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cooper, the House concurred in and adopted the Senate amendment to the bill, H. 10, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama of 1901 is hereby proposed:

"The State of Alabama is authorized to become indebted and to sell and issue interest bearing bonds, in addition to all other bonds of the state, in an aggregate principal amount not exceeding \$15,000,000, the proceeds derived from the sale of said bonds to be used solely for the purpose of paying the expenses incurred in the sale and issuance thereof and for the acquisition, construction, equipment, and improvement of state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities. None of the proceeds derived from the sale of said bonds may be used to pay rents for the use of real or personal property or to make payments under any lease with option to purchase or similar contractual arrangement. The State of Alabama is also authorized to become indebted and to sell and issue bonds to refund any of the bonds herein authorized, in the amounts (which may exceed the principal amount of the bonds being refunded) and manner as may be specified by the Legislature. The bonds shall be sold only at a duly advertised public sale or sales, upon sealed bids or at auction, to the bidder whose bid reflects the lowest total net interest cost to the State for the bonds offered for sale and shall be sold at not less than their face value plus accrued interest thereon. The bonds shall be direct general obligations of the State, and for the prompt and faithful payment of the principal thereof and the interest thereon the full faith and credit of the State are hereby irrevocably pledged. The bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the state. The

5th Day

legislature shall enact appropriate enabling legislation to carry out the intent and purpose of this amendment."

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on Tuesday, November 7, 1978, the day of the general election in the year 1978. The election shall be held in accordance with the provisions of Section 284, as amended, and Section 285 of the Constitution of Alabama of 1901, and Title 17, Chapter 17, Code of Alabama 1975.

Section 3. Notice of Election. Notice of the election on the proposed amendment shall be given by proclamation of the Governor, published in a newspaper in each county in the state once a week for four successive weeks next preceding the day appointed in Section 2 for the election, and in any county in which there may be no newspaper published, the notice shall be posted at each courthouse therein.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Ford, Gafford, Glass, Goodwin, Hall, Harris, Harrison, Hilliard, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Mitchem, Moore (O), Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—80

Nay: Mr. McNair.

—1

And the bill, H. 10 as thus amended, was again read at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Ford, Gafford, Glass, Goodwin, Hall, Harris, Hilliard, Hines, Holley Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 9. To authorize, in implementation of the constitutional amend-

ment proposed in the act introduced as Bill No. introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refundings and any premiums necessary to retire those bonds so refunded, and to provide for certain notice provisions prior to the selection of sites for correctional institutions and other details of construction.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cooper, the House concurred in and adopted the Senate amendment to the bill, H. 9, said Senate amendment being as follows:

Amend the Substitute for House Bill No. 9 Page 2 Line 10, by inserting

nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties, and on Page 8 after line 21 add a new section 10 and renumber the remaining sections accordingly. Section 10 Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

A BILL TO BE ENTITLED AN ACT

To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. For the purpose of this Act, the following terms shall have the meanings respectively ascribed to them by this section:

(1) "Board" means the Board of Corrections of Alabama created in Title 14, Chapter 1, Code of Alabama 1975, and its successors as the agency of the state for supervising and controlling the operation of the correctional institutions of the state.

(2) "Bonds" means those bonds, other than refunding bonds, issued under the provisions of this Act.

(3) "Commission" means the Board Commission created in this Act.

(4) "Refunding Bonds" means those refunding bonds issued under the provisions of this Act.

(5) "State" means the State of Alabama.

The definitions hereinabove set forth shall be deemed applicable whether the words defined are used in the singular or plural. Any pronoun used herein shall be deemed to include both the singular and the plural and to cover all genders.

Section 2. Authorization of bonds. In implementation of that certain constitutional amendment proposed in the act introduced as H. Bill No. 10 at the Special Session of the Legislature of Alabama convened on July 31, 1978, there are hereby authorized to be issued not exceeding \$15,000,000 aggregate principal amount of Bonds of the State, which Bonds shall be general obligations of the State for the prompt and faithful payment of the principal of and the interest on which the full faith and credit of the State are hereby irrevocably pledged. The Bonds and the income therefrom shall be exempt from all taxation in the State.

Section 3. Bond Commission. The Governor, the Attorney General, the Director of Finance, and the Chairman of the Board are hereby constituted a Bond Commission with full authority, except as herein specified or limited, to provide the terms and conditions of the Bonds and for the sale and issuance thereof. No member of the Commission shall receive compensation in any form for any services performed by him in and about his duties as a member or officer of the Commission. The Commission shall meet at the call of the Governor, who is hereby designated its chairman. Three members of the Commission shall constitute a quorum for the transaction of business, and all proceedings of the Commission shall be reduced to writing, recorded in a substantially bound book signed by at least three members of the Commission and filed with the Director of Finance, who is hereby designated as the Secretary of the Commission, who shall retain the same.

Section 4. Terms and Conditions of Bonds. Except as hereinafter limited, the Bonds may be sold, executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the State, may bear interest at such rate or rates payable and evidenced in such manner, may contain provisions for redemption at the option of the Commission on such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this Act, all as shall be

provided by the Commission in the resolution or resolutions whereunder the Bonds are issued. The principal of each series of the Bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the Commission under which they are issued, the first of which installments shall mature not later than one year after the date of the Bonds of such series and the last of which installments shall mature not later than thirty years after the date of the Bonds of the same series. Those of the Bonds of each series having stated maturities more than ten years after the date thereof shall be made subject to redemption prior to their respective maturities, at the option of the Commission, at the end of the tenth year following their date and semiannually thereafter, as a whole or in part in the inverse order of numbers of the Bonds of that series. Any redemption price required to be paid in order to effect any redemption of any Bond prior to maturity shall not exceed the face value of such Bond plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest thereon computed at the stated rate thereof.

Section 5. Sale of Bonds. None of the Bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all the Bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the State computed to the respective maturities of the Bonds sold; provided, that if no bid deemed acceptable by the Commission is received all bids may be rejected. Notice of each bond sale shall be given by the Commission by publication in either a financial journal or financial newspaper published in New York, New York, and also by publication in a newspaper published in the State, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Commission shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of Bonds may be held; provided, that such terms and conditions shall not conflict with any of the provisions of this Act. The Commission is authorized to provide terms and conditions under which any of the Bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both as the Commission may prescribe, and again converted into bearer bonds.

Section 6. Refunding Bonds. For the purpose of refunding any of the Bonds, whether the refunding shall occur before, at or after the maturity of the Bonds refunded, and for the purpose of paying all premiums and expenses of such refunding (including attorneys' fees, costs of printing the refunding bonds, fiscal agents' fees, and accountants' fees), the Commission may from time to time sell and issue, at public sale, Refunding Bonds in an aggregate principal amount not exceeding the sum of (a) the outstanding principal amount of the Bonds to be refunded, (b) the interest (accrued or to accrue) to the respective maturities of the Bonds to be refunded, or if the Bonds to be refunded are to be called for redemption, either on the earliest date on which under their terms they may be redeemed or some later date or dates, the interest (accrued or to accrue) on the Bonds to be refunded to the date or dates on which they are to be called for redemption, (c) the amount of any redemption premium required, by the terms of the Bonds, to be paid as a condition to their redemption prior to their respective maturities, and (d) the amount of any expenses (actual or estimated) of such refunding. No Refunding Bonds shall have a specified maturity date later than thirty years after their date. Pending the application of the proceeds of Refunding Bonds issued in accordance with this Section, the proceeds, together with investment earnings therefrom, and amounts

in any sinking fund, together with investment earnings thereon, may be held by the State Treasurer, in trust, or may be deposited by the State Treasurer, in trust, on such terms as the State Treasurer shall approve, with a trustee or escrow agent, which trustee or escrow agent shall be a banking institution or trust company authorized to exercise trust powers in Alabama, for investment in direct and general obligations of, or obligations the payment of the principal of and interest on which are unconditionally and irrevocably guaranteed by, the United States of America. The proceeds in any sinking fund shall be available, as provided by the Commission, for the payment of all or any part of the principal, interest, and redemption premium, if any, of the bonds being refunded and of the refunding bonds, or any of them, as the Commission in its discretion shall prescribe. Proceeds of Refunding Bonds shall be so invested and applied as to assure that the principal, interest, and redemption premium, if any, on the bonds being refunded shall be paid in full on their respective maturity, interest or redemption payment dates. The State Treasurer may contract with respect to the safekeeping and application of proceeds derived from the issuance of Refunding Bonds proceeds and other funds included therewith and the income therefrom including the right to appoint a trustee which may be any trust company or state or national bank having powers of a trust company within or without the State. All other provisions of this Act regarding the terms and conditions of execution and security for the Bonds shall apply to the refunding bonds issued hereunder.

Section 7. Execution of Bonds. The Bonds shall be executed in the name of the State by the Governor and countersigned by the Director of Finance, and the Great Seal of the State shall be affixed thereto and attested by the Secretary of State. A facsimile of the signature of any one or two (but not all) of said officials may be imprinted on any of the Bonds in lieu of being manually inscribed thereon, and in the discretion of the Commission a facsimile of the Great Seal of the State may be engraved, lithographed, imprinted or otherwise reproduced on the Bonds in lieu of said seal being manually affixed thereto. The coupons evidencing any installment of interest on the Bonds shall be executed with a facsimile of the signature of the Governor. Each such facsimile signature shall be valid in all respects as if the officials whose facsimile signatures are so used had signed the Bonds in person, and any facsimile of the Great Seal of the State had been manually affixed to the Bonds. In the event any official who shall sign the Bonds or whose facsimile signature shall appear thereon or on the coupons applicable thereto shall thereafter cease to hold office before the Bonds or the coupons are delivered and paid for, the Bonds and the coupons shall nevertheless be valid for all purposes to the same extent as if the official who signed the Bonds or whose facsimile signature appears thereon or on the coupons had remained in office until all of the Bonds and coupons bearing such signature or facsimile thereof shall have been delivered and paid for.

Section 8. Use of Bond Proceeds. The proceeds derived from the sale of the Bonds shall be placed into the State Treasury and after payment therefrom on order of the Commission of the expenses incidental to the authorization, preparation and issuance of the Bonds, the balance remaining shall be disbursed on order of the Board for projects approved by the Commission, which projects shall be solely for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities. None of the proceeds derived from the sale of the Bonds may be used to pay rents for the use of real or personal property or to make

payments under any lease with option to purchase or any similar contractual arrangement.

Section 9. Details of Construction. Each building constructed wholly or in part with any portion of the proceeds of the Bonds shall be constructed pursuant to plans and specifications approved by the Technical Staff of the Building Commission, or any agency that may be designated by the Legislature as its successor, and the costs of architectural and supervisory services shall be construed to constitute construction costs.

Section 10. Severability. If any part or provision of this Act shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision hereof.

Section 11. Effective Date. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the issuance of the Bonds.

Yeas 83; Nays 0.

Mr. Speaker, Andrews, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crawford, Cross, Drake, Edwards, Ford, Gafford, Glass, Goodwin, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—83

And the bill:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded. Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

As thus amended, was again read at length and passed.

Yeas 82; Nays 1.

Yeas:

Mr. Speaker, Andrews, Barron, Biddle, Buskey, Callahan, Campbell,

Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Falkenburg, Ford, Gafford, Glass, Goodwin, Hall, Harris, Hill, Hines, Holley, Holmes (D), Hopping, Howard, Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—82

May: Mr. Reed.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 1. To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million three hundred and twenty-five thousand (\$220,325,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 39. To conditionally appropriate from the Special Educational Trust Fund the sum of \$6,000,000 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama, and for the University of Montevallo \$400,000.00.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (J), the rules were suspended in order to take up out of order the bill, S. 36.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker, Armstrong, Baker, Buskey, Callahan, Campbell, Carothers, Cates, Crawford, Cross, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Holmes (D), Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Leonard, Lockett, Lutz, McCluskey McCulley, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—69

Nay: Mr. Holley.

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And the bill:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Buskey, Campbell, Carothers, Cates, Clark, Coburn, Crawford, Cross, Crowe, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Holley, Holmes (D), Howard, Jackson (F), Jackson (R), Johnstone, Kelley, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCulley, McMillan, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—73

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Shoemaker, the rules were suspended in order to take up out of order the bill, S. 21.

Yeas 56; Nays 0.

5th Day

Yeas:

Mr. Speaker, Armstrong, Campbell, Carothers, Carter, Clark, Crawford, Cross, Crowe, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Hines, Holmes (D), Howard, Jackson (F), Jackson (R), Johnstone, Kelley, Langford, Lee, Leonard, Lockett, McMillan, McNair, McNees, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Ray, Roberts, Sandusky, Shelton, Smith (B), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Turnham, Venable, Warren, Weeks, Whatley, White, Williams and Wyatt.

—56

And the bill:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Buskey, Campbell, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnstone, Jolly, Kelley, Kennedy, Killian, Langford, Lee, Leonard, Lockett, McCluskey, McNees, Martin, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Sandusky, Shelton, Shoemaker, Smith (B), Smith (M), Starkey, Thomas, Towns, Trammell, Turnham, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

—69

RESOLUTION

The following resolution was introduced:

By Mr. Owens:

H. J. R. 72. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

WHEREAS, continuing and concerted efforts on the part of congressional delegations from the northeast and midwest regions of the United States, if successful, will bring about the adoption of legislation that will discriminate against the economies of other of our nation's regions in the allocation of federal funds; and

WHEREAS, to counter this drive by northeast-midwest coalitions, the National Economic Research Institute was organized to analyze and study legislation in all areas vital to Alabama's economy and that of all sunbelt states; and

WHEREAS, the establishment of the Alabama Sunbelt Conference, to work in cooperation with the National Economic Research Institute and other coalitions of interest southern and western states, will create a broad based organization in Alabama to aid our Congressional Delegation in their actions to protect the economy of our state and region at the federal level; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH

HOUSES THEREOF CONCURRING, That we do fully approve and strongly support the establishment of the Alabama Sunbelt Conference and its efforts to assist in the compilation of information, and dissemination of same to state and private agencies, to ensure fair and equitable treatment of our state and of all regions of the nation by the Congress and federal administration in the allocation of federal funds.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented at the upcoming Alabama Sunbelt Conference, August 31, 1978, at the Montgomery Civic Center in Montgomery, Alabama, with copies provided also for all members of the Alabama Congressional Delegation in Washington, D.C.

On motion of Mr. Owens, the rules were suspended and the resolution, H. J. R. 72, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to take up out of order the bill, H. 30.

Yeas 46; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Baker, Biddle, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Goodwin, Gregg, Hopping, Jackson (F), Johnstone, Jolly, Kinsey, Langford, Lee, Lutz, McMillan, McNees, Moore (O), Moore (W), Naramore, Pegues, Plaster, Quarles, Shoemaker, Smith (B), Smith (C), Starkey, Thomas, Trammell, Waggoner, Warren, Weeks, Whatley, White, Williams and Younce.

—46

Nay: Mr. Jackson (R).

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 30. To amend Section 40-9-1 of the 1975 Code of Alabama, as amended, so as to exclude from ad valorem taxes certain improvements or additions to property for 10 years or until the property is sold.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 15.

Yeas:

Messrs.: Andrews, Armstrong, Biddle, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Glass, Goodwin, Hilliard, Hopping, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Lee, McNees, Martin, Mitchem, Moore (O), Morris, Naramore Pegues, Quarles, Roberts, Sandusky, Smith (B), Sonnier, Starkey, Thomas, Trammell, Waggoner, Warren, Weeks, White and Williams.

—43

Nays:

Messrs.: Campbell, Coburn, Greer, Hill, Holmes (D), Jackson (R), Langford, Lockett, Ray, Shelton, Smith (M), Towns, Turnham, Venable and Whatley.

—15

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 5. EXPRESSING THE CONCERN OF THE ALABAMA LEGISLATURE, AND WISHING JAN BIDDLE A SPEEDY RECOVERY FROM SURGERY.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1. Relating to City of Gadsden, providing for the fixing and payment of salaries of members of the board of commissioners.

Also:

H. 3. Relating to Clarke County; to provide that incorporated municipalities within the county may donate public funds to the Clarke County Association for Retarded Citizens.

Also:

H. 17. Relating to DeKalb County; authorizing the county commission and the governing bodies of the several incorporated municipalities in said county to make appropriations and expenditures from their respective general funds for the maintenance and support of certain rescue squads operating within said county.

Also:

H. 20. Relating to the City of Mobile; to amend the title and Sections 2, 4 and 5 of Act No. 421, 1971 Regular Session (Acts of 1971, p. 1153), so as to provide preservation districts.

Also:

H. 23. To authorize the State Industrial Development Authority to

sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the additional bonds to counties, municipalities, and municipal and county industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell its bonds for the purpose of making these grants; to provide that the bonds and the income therefrom shall be exempt from taxation, that the bonds may be used to secure deposits of funds of the State and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds; to make appropriations and pledges of funds from the taxes levied by sections 40-25-2 and 40-25-41, Code of Alabama 1975, to the extent necessary to pay the principal of and interest on the bonds; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that all principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

H. 24. To amend Section 40-25-23, Code of Alabama 1975, so as to reallocate a portion of the revenues derived from the taxes levied upon cigarettes authorized by Sections 40-25-2 and 40-25-41, Code of Alabama 1975, and to appropriate so much of these revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Also:

H. 25. Relating to Pickens County, Alabama, authorizing payment of expense allowances to members of the county governing body.

Also:

H. 26. Relating to Greene County; authorizing compensation for clerical assistance for the Tax Assessor and Tax Collector of Greene County and providing payment of such compensation out of county funds.

Also:

H. 35. To provide the Circuit Judge of the 36th Judicial Circuit authority to expend public funds for certain purposes in connection with his office and official duties.

Also:

H. 40. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to annex certain territory to the City of Anniston.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 41. To authorize Calhoun County and municipalities therein which undertake to provide public programs or services related to animal control to establish and collect necessary fees, charges and rates, and to enter contracts with other governmental or private agencies for the operation and maintenance of such programs or services.

Also:

H. 42. To alter, rearrange and extend the boundary limits and corporate limits of the City of Anniston, in Calhoun County, Alabama, so as to include within the corporate limits of said City the following described parcels of land.

Also:

H. 43. Relating to Calhoun County; providing additional revenue in Calhoun County to be used exclusively for the purpose of developing and promoting tourism and conventions within the county; levying a county privilege or license tax paralleling, at lower rate, state privilege or license tax on businesses of renting rooms, lodging or accommodations to transients as provided for in Title 40, Chapter 26 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violation of this Act.

Also:

H. 45. Relating to Escambia County; to provide for the compensation of the sheriff and all deputies sheriff other than the chief deputy sheriff in such county.

Also:

H. 50. Relating to Winston County; to provide for the disposition of the proceeds of any coal and lignite severance tax distributed to the county by the state.

Also:

H. 51. To amend Section 9-16-34, Code of Alabama 1975, the "Alabama Surface Mining Reclamation Act of 1975," so as to grant to the Alabama Surface Mining Reclamation Commission the authority to administer certain provisions of the Federal Initial Regulatory Program for a certain period of time, and to retain certain constitutional powers to the state.

Also:

H. 52. Relating to the Washington County tax assessor's office; authorizing the county governing body to provide an additional clerk hire allowance, from the county general fund, for the tax assessor's office for the employment of certain personnel required as a result of the additional duties and responsibilities imposed by the statewide property reappraisal; and making the provisions of the act retroactive.

Also:

H. 53. Relating to Mobile County; to prohibit motorcross racing within one-half mile ($\frac{1}{2}$) of any occupied dwelling without the written consent of the occupant of such dwelling and to provide that the violation thereof shall be a Class C misdemeanor as defined by Act 607, S. 33, 1977 Regular Session (Acts 1977, p. 812).

Also:

H. 54. Relating to Washington County; authorizing the county governing body and any municipal governing body or public hospital within the county to establish ambulance service for the sick, infirmed and injured in Washington County.

Also:

H. 57. To amend and re-enact Act No. 818, H. 1114, of the 1978 Regular Session, so as to provide further for the regulation of the sale of alcoholic beverages in Houston County by eliminating the requirement for a city alcoholic beverage license for the sale of spirituous or vinous liquors in said county; to provide that alcoholic beverages may be sold, served or given away by a licensee until 2:00 a.m. on Sunday morning; to further provide that there shall be no restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Also:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

Also:

H. 76. To amend Section 16 of Act 89, H. 234, Regular Session 1939 (Local Acts 1939, p. 47), creating the Municipal Utilities Board of Decatur so as to provide further for the procedure governing the expenditure of the funds of said board.

Also:

H. 77. Relating to Winston County; to provide an expense allowance for the circuit clerk and to give this act retroactive effect to January 1, 1978.

Also:

H. 78. Relating to Marion County; to provide an additional expense allowance for members of the county board of education.

Also:

H. 44. Proposing an amendment to the constitution of Alabama which grants certain powers and authority to the governing body of the City of Anniston relating to the acquisition and development of industrial parks.

Also:

H. 70. To propose an amendmen to the Constitution of Alabama to authorize the governing body of Montgomery County to establish and maintain firefighting districts within such county; to enter into agreements with volunteer fire departments within such county for fire protection and services; to set fees for fire protection services and to prescribe the manner of collection and distribution of such fees.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Dial to suspend the rules in order to take up out of order the bill, S. 85, was lost, lacking a four-fifths vote.

Yeas 62; Nays 20.

Yeas:

Mr. Speaker, Andrews, Baker, Biddle, Callahan, Campbell, Carothers, Cates, Clark, Coburn, Cooper, Crowe, Dial, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Lee, Lockett, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Merrill, Mitchem, Moore (O), Naramore, Owens, Pegues, Riddick, Robertson, Sandusky, Shelton, Smith (B), Smith (M), Sonnier, Starkey, Thomas, Towns, Waggoner, Ward, Warren, Weeks and White.

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Nays:

Messrs.: Armstrong, Barron, Carter, Cross, Holley, Holmes (A), Langford, Leonard, Lutz, Moore (W), Morris, Plaster, Ray, Reed, Roberts, Smith (C), Trammell, Venable, Whatley and Wyatt.

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit;

H. 129. To fix the compensation for every district court or circuit court or grand jury bailiff in the Thirteenth Judicial Circuit and to

provide for payment of a certain portion thereof by the county in which such bailiffs serve.

Also:

H. 132. Relating to Henry County, Alabama, only; to provide for compensation and expense allowance for the Coroner of said county.

Also:

H. 137. Relating to Henry County, Alabama, only; to provide for compensation for the members of the Board of Tax Equalization of Henry County.

Also:

H. 147. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Babbie in Covington County, Alabama, so as to annex certain territory to the Town of Babbie, in Covington County, Alabama.

Also;

H. 150. To vest regulatory authority over hazardous waste management in the State Board of Health; to authorize the Board to accept and administer lands to be used as disposal sites for hazardous wastes; to vest perpetual responsibility for such sites in the State; to establish the Hazardous Wastes Technical Advisory Committee; to place certain responsibilities for hazardous waste management upon the Board; to empower the Board to develop and revise criteria for identifying hazardous wastes and to list such wastes; to empower the Board to adopt and revise rules and regulations, guidelines, criteria and standards; to require permits for hazardous waste management practices and establish procedures for such permitting; to require generators of hazardous wastes to dispose of such wastes in an approved manner; to place certain responsibilities upon generators of hazardous wastes, transporters of hazardous wastes and operators of hazardous waste storage and treatment facilities and disposal sites; to require the use of a manifest; to require the reporting of hazardous wastes generated by the generator; to provide for penalties and remedies; to provide for administration and enforcement; to allow appeal; and to establish the Hazardous Wastes Management Fund and to make appropriations therefrom.

Also:

H. 152. Relating to Sumter County; to authorize the county commission to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor; such clerks to be appointed for a term and paid an amount established by the said county commission; and providing for an expiration date of such authority.

Also:

H. 154. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Livingston, in Sumter County.

Also:

H. 156. Relating to Coffee County; regulating and providing for the compensation of election officers.

Also:

H. 164. To provide for distinctive motorcycle license plates for

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Shrine motorcycle club, corps or unit members; to provide for the design of such license plate; and to provide a procedure for issuance thereof.

Also:

H. 166. To amend Section 4 of Act No. 594, Regular Session 1978, to provide that the Master Jury Box shall be filled as prescribed in that Act by December 31, 1978, and that the Master Jury box shall be emptied and refilled as prescribed in that Act in December of each even numbered year thereafter; and to amend Section 14 of Act No. 594, Regular Session 1978, to provide that the several jury commissions shall not be required to fill the master jury box as prescribed by that Act prior to December 31, 1978.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 56. To amend the City of Dothan Pension and Retirement System by Act No. 103, Regular Session of the Alabama Legislature approved June 18, 1953 and amended by Act No. 424, Regular Session of the Alabama Legislature approved August 7, 1961; Act No. 509, Regular Session of the Alabama Legislature approved August 20, 1953; Act No. 601, Regular Session of the Alabama Legislature approved September 8, 1967; Act No. 59, Regular Session of the Alabama Legislature approved July 12, 1971; Act No. 78, Regular Session of the Alabama Legislature approved July 25, 1975; Act No. 543, 1977 Regular Session, Alabama Legislature approved May 11, 1977.

Also:

H. 138. To alter or rearrange the boundary lines of the City of Satsuma, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Mobile County, Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 83. Relating to Tallapoosa County; to amend Section 1 of Act No. 487, S. 628. Regular Session 1969 (Acts of 1969, p. 948), entitled "Relating to Tallapoosa County; to regulate further the compensation and expense allowances of members of the county governing body", so as to increase the salary of the members of the county commission.

Also:

H. 85. Relating to Madison County; to permit persons to make returns of taxable property for ad valorem tax purposes, whether real or personal, by mail or by an authorized agent.

Also:

H. 86. Relating to Tallapoosa County; to provide a mileage allowance for the members of the County Board of Registrars.

Also:

H. 87. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Warrior, in Jefferson County, Alabama, so as to include within the corporate limits of said municipality certain additional territory.

Also:

H. 92. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579, et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

H. 102. To repeal Act No. 257, H. 852, 1977 Regular Session (Acts of 1977, p. 339), entitled, "An Act Relating to Baldwin County, to provide for the creation, incorporation, organization, operation, administration, and financing of one or more local public service districts within the county as public corporations so as to provide local fire fighting and prevention services; to provide for the fixing, levy and collection by such fire districts of rates, fees and charges for such services; to provide penalties for non-payment and liens upon the property within such

districts; to provide for the borrowing of money and issuance of bonds and other obligations by or on behalf of such fire districts; providing that the qualified electors of any prospective fire district shall give their prior approval to the creation of any such district as well as the rates, fees, charges, bond or other indebtedness thereto in an election thereon; to provide an election procedure for such voter approval; to prescribe the organization, rights, powers and duties of such districts; to prescribe limitations on such rights and powers, and to repeal conflicting laws."

Also:

H. 105. To amend section 36-27-7.1, Code of Alabama 1975, so as to provide further for the partial participation of certain retired employees of the cooperative extension service of Auburn University in the state employees' retirement system under the provisions of section 36-27-7, Code of Alabama 1975, upon such employees making a certain contribution to the state employees' retirement system.

Also:

H. 106. Relating to Lauderdale County; to authorize the Lauderdale County Board of Education to make discretionary expenditures from Lauderdale County public school funds for certain school purposes.

Also:

H. 111. Relating to Calhoun County; relating to the license commissioner; providing that the commissioner of license shall be elected, commencing with the term of office in 1981 and setting the salary of such officer; providing for the conduct and manner of such election; and repealing the title and Section 2 of Act No. 154, H. 746 of the 1965 Regular Session (Acts 1965, Vol. I, p. 218), only to the extent that the provisions thereof relate to the appointment and term of office of such officer.

Also:

H. 112. To amend and reenact Act No. 532, S. 713, 1978 Regular Session, which relates to salaries and expense allowances for certain officials of Calhoun County, so as to provide further for the salary and expense allowance of the coroner.

Also:

H. 115. Relating to Lowndes County; providing for a chief clerk and clerk for the probate judge; and prescribing the duties and setting the salaries for such clerks.

Also:

H. 118. To alter and rearrange the boundaries of the Town of Ariton, Dale County, Alabama, so as to annex and include within the corporate limits thereof, the territory hereinafter described.

Also:

H. 122. Relating to Marengo County; to repeal Act No. 561, H. 1317, Regular Session 1977 (Acts 1977, p. 750), which act regulates the compensation of the sheriff of said county.

Also:

H. 123. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Also:

H. 127. To provide for the establishment of a reserve state trooper force and places said reserve state troopers under the direction of the director of the Department of Public Safety or a member of the Alabama State Troopers and provides said reserve state troopers with the authority to carry firearms when summoned by the Department of Public Safety.

Also:

H. 124. Proposing an amendment to the Constitution of Alabama to provide for fire protection in Russell County; to authorize the establishment of fire fighting districts for fire protection services.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

Also:

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

Also:

H. J. R. 54. COMMENDING THE HUNTSVILLE CITY SCHOOL SYSTEM AND THE ED WHITE MIDDLE SCHOOL.

Also:

H. J. R. 56. MOURNING THE DEATH OF MR. FAY E. GUYTON, FORMER UNIVERSITY PROFESSOR.

Also:

H. J. R. 57. COMMENDING MR. MARK JONES ON RECENT HONORS RECEIVED.

Also:

H. J. R. 58. CONGRATULATING THE SHELBY COUNTY NEWS, AWARD RECIPIENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

H. J. R. 59. COMMENDING MR. FRED COOPER, COLUMNIST WITH THE SHELBY COUNTY NEWS.

Also:

H. J. R. 60. COMMENDING MISS JULIE HOUSTON, MISS ALABAMA 1977.

Also:

H. J. R. 61. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

Also:

H. J. R. 62. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLAY COUNTY.

Also:

H. J. R. 64. NAMING THE AUTO PARTS TRAINING CENTER AT BESSEMER STATE TECHNICAL COLLEGE, "LANIER AUTO PARTS TRAINING CENTER."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House;

H. J. R. 6. COMMENDING THE GEORGE C. MARSHALL SPACE FLIGHT CENTER FOR ITS NOTABLE ACHIEVEMENTS IN THE FURTHERANCE OF OUR NATION'S SPACE PROGRAM.

Also:

H. J. R. 8. HONORING MR. ELVIN HILL, SHELBY COUNTY SUPERINTENDENT OF SCHOOLS.

Also:

H. J. R. 11. MOURNING THE DEATH OF MR. HAROLD O. GLASS, PROMINENT ALABAMA BANKER AND CIVIC LEADER.

Also:

H. J. R. 12. COMMENDING MAYOR WILLIAM H. TUCK, WINNER OF THE 1977 DAVID M. COCHRANE AWARD.

Also:

H. J. R. 15. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

Also;

H. J. R. 17. MOURNING THE DEATH OF MRS. LINNIE WIG-

GINNS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

Also:

H. J. R. 19. CONGRATULATING AND COMMENDING MARS HILL BIBLE SCHOOL, STATE 1A BASEBALL CHAMPIONS.

Also:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTH-EASTERN CONFERENCE ASSOCIATE COMMISSIONER, EMERITUS, DESIGNATE.

Also:

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTH-EASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

Also:

H. J. R. 42. RESOLUTION MOURNING THE DEATH OF ALFRED F. DELCHAMPS.

Also:

H. J. R. 43. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

H. J. R. 44. NOTING THE OCCASION OF MR. OSCAR VANN SHIRLEY'S 102ND BIRTHDAY.

Also:

H. J. R. 45. COMMENDING DONALD L. MARTIN, ALABAMA'S RESCUE SQUAD WORKER OF THE YEAR.

Also:

H. J. R. 46. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House;

H. J. R. 50. HONORING MR. WILLIAM H. G. "BILL" FRANCE, FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to take up out of order the bills, S. 79.

Yeas 47; Nays 1.

Yeas:

Mr. Speaker, Andrews, Baker, Callahan, Carothers, Cooper, Crawford, Crowe, Edwards, Falkenburg, Glass, Goodwin, Hines, Holley, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, McMillan, McNair, McNees, Merrill, Mitchem, Moore (O), Morris, Naramore, Plaster, Reed, Roberts, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sparks, Starkey, Thomas, Towns, Turnham, Venable, Ward, Warren and Weeks.

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Nay: Mr. Lockett.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

Was read a third time at length and passed.

Yeas 62; Nays 4.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Callahan, Carothers, Carter, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Falkenburg, Gafford, Goodwin, Harris, Hines, Holley, Holmes (D), Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, McCluskey, McCulley, McMillan, McNair, McNees, Mitchem, Moore (O), Moore (W), Morris, Naramore, Plaster, Ray, Reed, Roberts, Robertson, Sandusky, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, White and Williams.

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Nay: Messrs.: Jackson (R), Leonard, Lockett and Wyatt.

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RESOLUTION

The following resolution was introduced:

By Mr. Waggoner:

H. J. R. 73. NAMING THE ACT WHICH H. 146 OF THE 1978 SECOND SPECIAL SESSION BECOMES, WHICH ACT ESTABLISHES THE ALABAMA STUDENT GRANT PROGRAM, "THE CALLAHAN-OWEN ACT."

WHEREAS, Representative H. L. "Sonny" Callahan and Senator L. D. "Dick" Owen, Jr., worked long and diligently for the passage of H. 146 in the 1978 Second Special Session, which bill established the Alabama Student Grant Program; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the act which H. 146 of the 1978 Second Special Session becomes shall be known as "The Callahan-Owen Act."

On motion of Mr. Waggoner, the rules were suspended and the resolution, H. J. R. 73, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Johnstone, the rules were suspended in order to take up out of order the bill, S. 17.

Yeas 31; Nays 2.

Yeas:

Mr. Speaker, Buskey, Callahan, Carter, Coburn, Cooper, Crowe, Edwards, Falkenburg, Glass, Goodwin, Hall, Hines, Johnstone, Jolly, Kelley, Kennedy, Leonard, McCulley, McMillan, Mitchem, Naramore, Quarles, Robertson, Shoemaker, Smith (J), Sonnier, Thomas, Towns, Trammell and White.

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Nay: Messrs.: Holley and Morris.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Warren, the House recessed until 7:00 o'clock p.m.

Yeas 56; Nays 32.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Barron, Biddle, Buskey, Carothers, Carter, Cates, Clark, Crawford, Cross, Edwards, Falkenburg, Ford, Gafford, Gregg, Harris, Harrison, Hilliard, Hines, Holley, Howard, Jolly, Kennedy, Killian, Langford, Lee, Lockett, Lutz, McCulley, McNair, McNees, Manley, Martin, Morris, Pegues, Plaster, Quarles, Ray, Roberts, Shelton, Smith (C), Smith (J), Sparks, Starkey, Towns, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White and Williams.

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Nays:

Mr. Speaker, Baker, Campbell, Coburn, Cooper, Crowe, Glass, Goodwin, Greer, Hall, Hill, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Johnstone, Kinsey, Leonard, McCluskey, McMillan, Mitchem, Moore (O), Moore (W), Owens, Robertson, Shoemaker, Smith (B), Thomas, Trammell, Wyatt and Younce.

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HOUSE RECONVENED

The hour of 7:00 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 52. To exempt the Grand Chapter of all Order of the Eastern Star and the South Alabama State Fair Association, Southeastern Livestock Exposition of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House;

H. J. R. 72. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

H. J. R. 73. NAMING THE ACT WHICH H. 146 OF THE 1978 SECOND SESSION BECOMES, WHICH ACT ESTABLISHES THE ALABAMA STUDENT GRANT PROGRAM, "THE CALLAHAN-OWEN ACT."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 71. NAMING THAT SECTION OF U.S. HIGHWAY 31 WITHIN THE CITY LIMITS OF ALABASTER, "THE BARRY DURRETT MEMORIAL HIGHWAY."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. McCulley:

H. R. 74. REQUESTING AN ADVISORY OPINION OF THE JUSTICES OF THE SUPREME COURT RELATIVE TO S.B. 61 PROPOSING AN AMENDMENT TO THE CONSTITUTION, SECOND EXTRAORDINARY SESSION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we respectfully request the Honorable Chief Justice and Associate Justices of the Supreme Court or a majority of them, to give this body their written opinions on the following important constitutional question which has arisen concerning the pending S. B. 61 amending the Constitution of the Second Extraordinary Session, which act pertains, inter alia, to repeal the unit system of Washington County and is an advertised local bill. Copies of the bill and proof of publication are attached hereto and made a part hereof by reference.

1. Said bill was advertised not in a newspaper of general circulation published in Washington County, the county involved but on the contrary was printed in Mobile County, Alabama. Washington County has a newspaper of general circulation published within the boundary of said county. In the publication which was in the Mobile Press Register, only the title to the bill was published and not the bill in its entirety as provided in Section 106 of the Constitution of the State of Alabama, and the bill was published on July 15, 1978, July 17, 1978, July 24, 1978 and on July 30, 1978. The bill was introduced in the Senate on July 31, 1978.

Does the facts that in violation of Section 106 of the Constitution of Alabama, the bill was not advertised in a newspaper of general circulation published in Washington County, Alabama plus the fact that the

bill was advertised by title only plus the fact that the bill was advertised in a manner in which a complete week would not follow in one of the advertised dates render the bill unconstitutional if passed by the Legislature and signed by the Governor?

RESOLVED FURTHER, That the Clerk of the House is hereby directed to send nine true copies of the pending S. B. 61 with attachments, to the Clerk of the Supreme Court of Alabama and to transmit this request to the Justices of the Supreme Court forthwith upon adoption of this Resolution.

On motion of Mr. McCulley, the rules were suspended and the resolution, H. R. 74, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

McDOWELL LEE,
Secretary.

S. 17 RESUMED

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Mr. Campbell to indefinitely postpone the bill, S. 17 with pending amendment, was lost.

Yeas 30; Nays 38.

Yeas:

Messrs.: Baker, Barron, Campbell, Carter, Cates, Dial, Glass, Gregg, Holley, Holmes (D), Jackson (F), Killian, Langford, Lockett, Lutz, Manley, Mitchem, Moore (W), Pegues, Plaster, Ray, Roberts, Shelton, Smith (B), Smith (C), Smith (M), Towns, Ward, Weeks and Whatley.

—30

Nays:

Mr. Speaker, Andrews, Armstrong, Buskey, Carothers, Coburn, Cooper, Crawford, Crowe, Drake, Falkenburg, Goodwin, Greer, Hall, Hill, Hilliard, Hopping, Howard, Jackson (R), Johnson, Johnstone, Kennedy, Kinsey, Leonard, McMillan, Moore (O), Naramore, Owens, Quarles, Reed, Robertson, Sandusky, Sonnier, Thomas, Trammell, Turnham, Williams and Wyatt.

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And the bill:

S. 17. (With Amendment): To amend section 16-25-1 and 16-25-21,

Code of Alabama 1975, which relate to the state teachers' retirement system, so as to redefine the term "teacher" to include employees or officers of the American Federation of Teachers, and providing for certain contributions into the system, thereby allowing such persons to participate in the state teachers' retirement system.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 17 in Section 1, on page 2, line 17, Subsection (3), after the word "Teachers" by inserting the following words;

of Alabama

Further Amend Senate Bill 17 in Section 1, page 11, subsection b., line 23, after the word "Teachers" by inserting the following words:

of Alabama

S. 17 TEMPORARILY POSTPONED

On motion of Mr. Johnson, further consideration of the bill, S. 17 with pending amendment was temporarily postponed.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Johnson to suspend the rules in order to postpone all bills on the Calendar to reach the bills, S. 19 and S. 16, was lost, lacking a four-fifths vote.

Yeas 40; Nays 27.

Yeas:

Mr. Speaker, Albright, Andrews, Biddle, Buskey, Campbell, Cates, Clark, Cooper, Crowe, Glass, Gregg, Harrison, Hill, Hopping, Jackson (F), Johnson, Kennedy, Langford, Lee, McNees, Moore (O), Morris, Owens, Pegues, Plaster, Ray, Roberts, Robertson, Shelton, Smith (B), Smith (C), Smith (J), Sonnier, Sparks, Thomas, Trammell, Waggoner, Weeks and Whatley.

—40

Nays:

Messrs.: Armstrong, Barron, Callahan, Carothers, Carter, Crawford, Dial, Goodwin, Hall, Hilliard, Holmes (A), Holmes (D), Jackson (R), Killian, Lutz, Mitchem, Moore (W), Quarles, Sandusky, Shoemaker, Smith (M), Starkey, Towns, Venable, Ward, Williams and Wyatt.

—27

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Dial to suspend the rules in order to take up out of order the bill, S. 85, was lost, lacking a four-fifths vote.

Yeas 49; Nays 25.

Yeas:

Mr. Speaker, Andrews, Biddle, Callahan, Campbell, Carothers, Cates, Coburn, Cooper, Crowe, Dial, Drake, Edwards, Goodwin, Hall, Harris, Harrison, Hill, Hilliard, Holmes (A), Holmes (D), Hopping, Jackson (F), Jackson (R), Kelley, Kennedy, Killian, Kinsey, Leonard, Lockett, McMillan, McNees, Mitchem, Moore (W), Owens, Pegues, Plaster,

Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Sonnier, Starkey, Thomas, Waggoner, Warren and Wyatt.

—49

Nays:

Messrs.; Armstrong, Baker, Barron, Carter, Clark, Crawford, Falkenburg, Glass, Holley, Howard, Jolly, Langford, Lutz, Moore (O), Morris, Quarles, Ray, Reed, Roberts, Towns, Trammell, Venable, Weeks, Whatley and Williams.

—25

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Robertson to suspend the rules in order to take up out of order the bill, S. 67, was lost.

Yeas 22; Nays 27.

Yeas:

Mr. Speaker, Andrews, Biddle, Gafford, Hall, Hill, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnson, Lutz, McNees, Owens, Plaster, Quarles, Robertson, Smith (C), Sonnier, Turnham and Venable.

—22

Nays:

Messrs.; Armstrong, Barron, Campbell, Carter, Crawford, Gafford, Harris, Harrison, Hilliard, Jackson (R), Jolly, Langford, Leonard, Lockett, Mitchem, Moore (W), Roberts, Sasser, Smith (B), Smith (M), Sparks, Thomas, Towns, Trammell, Weeks, Whatley and Williams.

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 1. To authorize Alabama Public School and College Authority to sell and issue two hundred and twenty million three hundred and twenty-five thousand (\$220,325,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land, for colleges and universities, vocational-technical institutes, junior colleges, elementary-secondary school systems and special schools; to provide for the details of the bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the monies so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the

State; to provide that the bonds and the income therefrom shall be exempt from taxation in this State and the bonds may be used to secure deposits of funds of this State and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for the purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Also:

S. 21. To make an appropriation to the state board of social work examiners from the state board of social work examiners' fund which is on deposit in the state treasury, for purposes of salaries and other expenses.

Also:

S. 36. To amend Section 11 of Act No. 584, H. 426 of the 1978 Regular Session, approved April 27, 1978, which section sets the number of session days for the various counties, so as to eliminate a duplication for Geneva County.

Also:

S. 38. To amend Sections 27-1-4, 22-21-240, and 22-21-242 of the Code of Alabama 1975, so as to allow licensed dental practitioners in Alabama to establish, maintain, administer and operate a trust for the purpose of insuring against general public liability claims based upon acts or omissions of such dental practitioners.

Also:

S. 39. To appropriate from the Special Educational Trust Fund the sum of \$12,000,000.00 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama. To conditionally appropriate from the Special Educational Trust Fund the sum of \$6,000,000 for the fiscal year ending September 30, 1979, to finance certain capital improvements at Alabama Agricultural and Mechanical University in Huntsville, Alabama, and Alabama State University in Montgomery, Alabama, and for the University of Montevallo \$400,000.00

Also:

S. 52. To exempt the Grand Chapter of all Order of the Eastern Star and the South Alabama State Fair Association, Southeastern Livestock Exposition of the State of Alabama from the payment of all state, county and municipal sales and use taxes.

Also:

S. 70. To provide that employees of the state department of veteran affairs shall be included in the cost of living increase authorized by Act No. 728, H. 171 of the 1978 Regular Session and to appropriate funds therefor.

Also:

S. 79. To amend Section 6-5-127 of the Code of Alabama 1975, relating to circumstances under which manufacturing and industrial plants or establishments are not deemed nuisances after operating for one year, so as to include agricultural plants and farming facilities when such businesses come within the same circumstances.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker;

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Manley, the House concurred in and adopted the Senate amendment to the bill, H. 170, said Senate amendment being as follows:

Amend Substitute for H. B. 170, Section 1, Subsection (c), Page 3, lines 10 through 21 by deleting the sentence on line 10 beginning "If the receipts", all of lines 11 through 20, and the sentence which ends with "ad valorem tax." on line 21.

and substituting therefor the following;

If (1) a county, municipality or other taxing authority adjusts an assessment ratio pursuant to the preceding sentence and (2) the receipts from all ad valorem taxes levied by or with respect to such taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from such ad valorem taxes for the ad valorem tax year beginning October 1, 1977, then at any time not later than September 30, 1980 for ad valorem tax years beginning on and after October 1, 1979, the taxing authority may, subject to criteria established by act of the legislature, by resolution of the governing body of that taxing authority, adjust any assessment ratio applicable to any class of taxable property.

Amend Substitute for H. B. 170, Section 1, Subsection (j), Page 9, lines 19 and 20, by deleting", provided that the legislature shall have enacted" and substituting therefor the following:

. The legislature may enact

Further amend H. B. 170, Section 1, Subsection (j), Page 9, line 28 by deleting the period after the word "valuation" and inserting and adding to line 28 the following:

, provided, however, that any additional tax on taxable property ceasing to qualify for current use valuation shall not apply to more than the three ad valorem tax years immediately preceding such cessation of qualification (including as one such year the year in which cessation of qualification occurs).

Yeas 90; Nays 5.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—90

Nays: Messrs.: Buskey, Hall, Harrison, Killian and Leonard.

—5

And the bill, H. 170 as thus amended, was again read at length and passed.

Yeas 90; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—90

Nays:

Messrs.: Buskey, Hall, Harrison, Hilliard, Jackson (R), Kennedy and Leonard.

—7

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

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H. J. R. 6. COMMENDING THE GEORGE C. MARSHALL SPACE FLIGHT CENTER FOR ITS NOTABLE ACHIEVEMENTS IN THE FURTHERANCE OF OUR NATION'S SPACE PROGRAM.

Also:

H. J. R. 7. URGING THE STATE CONSERVATION EXECUTIVE BOARD TO REVISE ITS POLICY AGAINST USING DOGS TO HUNT DEER IN MONTGOMERY COUNTY.

Also:

H. J. R. 8. HONORING MR. ELVIN HILL, SHELBY COUNTY SUPERINTENDENT OF SCHOOLS.

Also:

H. J. R. 9. OPPOSING A CONSERVATION ADVISORY BOARD PROPOSAL TO DEPRIVE LANDOWNERS OF THEIR INHERENT AND HISTORIC RIGHTS TO CONTROL TRAPPING ON THEIR OWN LAND.

Also;

H. J. R. 11. MOURNING THE DEATH OF MR. HAROLD O. GLASS, PROMINENT ALABAMA BANKER AND CIVIC LEADER.

Also:

H. J. R. 12. COMMENDING MAYOR WILLIAM H. TUCK, WINNER OF THE 1977 DAVID M. COCHRANE AWARD.

Also:

H. J. R. 15. HONORING DR. CHARLES W. DAVIS, MINISTER, MISSIONARY AND EDUCATOR.

Also;

H. J. R. 17. MOURNING THE DEATH OF MRS. LINNIE WIGGINS NEWMAN, NOTABLE GOSPEL SINGER OF LAMAR COUNTY, ALABAMA.

Also:

H. J. R. 19. CONGRATULATING AND COMMENDING MARS HILL BIBLE SCHOOL, STATE 1A BASEBALL CHAMPIONS.

Also:

H. J. R. 22. URGING POSTMASTER GENERAL WILLIAM BOLGER'S RECOMMENDATION TO THE CITIZENS STAMP ADVISORY COMMITTEE THAT A COMMEMORATIVE STAMP BE ISSUED IN HONOR OF THE RACING PIGEON.

Also:

H. J. R. 24. HONORING MR. J. C. "CLIFF" HARPER, SOUTHEASTERN CONFERENCE ASSOCIATE COMMISSIONER, EMERITUS, DESIGNATE.

Also:

H. J. R. 25. COMMENDING AUBURN UNIVERSITY, SOUTHEASTERN CONFERENCE ALL SPORTS TROPHY WINNER.

Also:

H. J. R. 42. RESOLUTION MOURNING THE DEATH OF ALFRED F. DELCHAMPS.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 43. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

H. J. R. 44. NOTING THE OCCASION OF MR. OSCAR VANN SHIRLEY'S 102ND BIRTHDAY.

Also:

H. J. R. 45. COMMENDING DONALD L. MARTIN, ALABAMA'S RESCUE SQUAD WORKER OF THE YEAR.

Also:

H. J. R. 46. COMMENDING MRS. JO MARSHALL, SPONSOR OF PI PI CHAPTER OF PHI THETA KAPPA AND ADVISOR FOR THE ALABAMA REGION OF PHI THETA KAPPA.

Also:

H. J. R. 50. HONORING MR. WILLIAM H. G. "BILL" FRANCE, FOUNDER OF THE ALABAMA INTERNATIONAL MOTOR SPEEDWAY.

Also:

H. J. R. 54. COMMENDING THE HUNTSVILLE CITY SCHOOL SYSTEM AND THE ED WHITE MIDDLE SCHOOL.

Also:

H. J. R. 56. MOURNING THE DEATH OF MR. FAY E. GUYTON, FORMER AUBURN UNIVERSITY PROFESSOR.

Also:

H. J. R. 57. COMMENDING MR. MARK JONES ON RECENT HONORS RECEIVED.

Also:

H. J. R. 58. CONGRATULATING THE SHELBY COUNTY NEWS, AWARD RECIPIENT OF THE ALABAMA PRESS ASSOCIATION.

Also:

H. J. R. 59. COMMENDING MR. FRED COOPER, COLUMNIST WITH THE SHELBY COUNTY NEWS.

Also:

H. J. R. 60. COMMENDING MISS JULIE HOUSTON, MISS ALABAMA 1977.

Also:

H. J. R. 61. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLEBURNE COUNTY.

Also:

H. J. R. 62. COMMENDING THE RURAL DEVELOPMENT COMMITTEE, CLAY COUNTY.

Also:

H. J. R. 64. NAMING THE AUTO PARTS TRAINING CENTER AT BESSEMER STATE TECHNICAL COLLEGE, "LANIER AUTO PARTS TRAINING CENTER."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to

Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Manley, the House concurred in and adopted the Senate amendment to the bill, H. 171, said Senate amendment being as follows;

A BILL TO BE ENTITLED AN ACT

To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law; to amend Section 40-8-1, Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Legislative intent. It is the intention of the Legislature by this Act to implement in part the provisions of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended by the constitutional amendment proposed in House Bill No. 170 introduced at the Special Session of the Legislature convened on July 31, 1978, superseding Constitutional Amendment No. 325 and concerning the system of state and local ad valorem taxation provided therein.

Section 2. Amendment of Section 40-8-1. Section 40-8-1, Code of Alabama 1975, is hereby amended to read as follows:
"§ 40-8-1. Assessment rate.

(a) On and after October 1, 1978, with respect to ad valorem taxes levied by the state, and, unless otherwise provided, with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the state, all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property, or, as may be provided by law, to the current use value of such property:

Class I. All property of utilities used in the business of such utilities, 30 percent.

Class II. All property not otherwise classified, 25 20 percent.

Class III. All agricultural, forest and residential property, and historic buildings and sites, 15 10 percent.

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Class IV. All private passenger automobiles and motor trucks of the type commonly known as "pickups" or "pickup trucks" owned and operated by an individual for personal or private use and not for hire, rent or compensation, 15 percent.

(b) As used herein, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise:

(1) **ALL PROPERTY OF UTILITIES.** All property assessed for taxation by the department of revenue pursuant to the provisions of Chapter 21 of this title; provided, that after September 30, 1979, and only to the extent required by Title III, § 306 of Pub. L. 94-210 (the Railroad Revitalization and Regulatory Reform Act of 1976 [codified as 49 U.S.C. § 26c] 1), "transportation property," as that term is defined in the aforesaid statute, as heretofore or hereafter amended, or in any subsequent statute of similar import, shall not be assessed as Class I property.

(2) **ALL RESIDENTIAL PROPERTY.** Only real property used exclusively as a single-family dwelling by the owner thereof.

(3) **AGRICULTURAL and FOREST PROPERTY.** All real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of or the production of livestock, to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur-bearing animals, honeybees and fish, or for dairying and the sale of dairy products, or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof.

(4) **ALL PROPERTY NOT OTHERWISE CLASSIFIED.** All real and personal property which does not fall within any one or both more of Classes I, and III and IV.

(5) **ALL PRIVATE PASSENGER AUTOMOBILES AND MOTOR TRUCKS OF THE TYPE COMMONLY KNOWN AS "PICKUPS" OR "PICKUP TRUCKS" OWNED AND OPERATED BY AN INDIVIDUAL FOR PERSONAL OR PRIVATE USE AND NOT FOR HIRE, RENT OR COMPENSATION.** All private passenger automobiles, as that term is defined in Sections 40-12-240(12) and 40-12-241; and all motor trucks of the type commonly known as "pickups" or "pickup trucks," weighing not exceeding 8,000 pounds.

(6) **HISTORIC BUILDINGS AND SITES.** Regardless of the use to which such property is put, all buildings or structures (i) listed in the National Register of Historic Places or (ii) located in a Registered Historic District and certified by the United States Secretary of the Interior as being of historic significance to the district.

(c) Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes.

(d) The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, education or charitable purposes, also the property of Masonic lodges, Knights of Columbus homes and union halls shall be exempt when used exclusively for the purposes and business of such organiza-

tions. All property now exempt by law shall continue to be exempt from taxation until changed by law.

(e) In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

| County | Class I | Class II | Class III |
|-----------|---------|----------|-----------|
| Morgan | 30% | 20% | 20% |
| Limestone | 30% | 20% | 15% |
| Etowah | 30% | 20% | 15% |
| Clay | 30% | 20% | 15% |
| Cleburne | 30% | 20% | 15% |
| Barbour | 30% | 15% | 15% |
| Coffee | 30% | 15% | 15% |
| Bullock | 30% | 15% | 15% |
| Hale | 30% | 15% | 15% |
| Wilcox | 30% | 15% | 15% |
| Monroe | 30% | 15% | 15% |
| Randolph | 30% | 15% | 15% |
| Perry | 30% | 15% | 15% |
| Bibb | 30% | 15% | 15% |
| Houston | 30% | 15% | 15% |
| Dale | 30% | 15% | 15% |
| Henry | 30% | 15% | 15% |
| Jefferson | 30% | 25% | 20% |
| Calhoun | 30% | 25% | 15% |

Section 3. Assessment ratios for purposes of local taxation. During the ad valorem tax year beginning October 1, 1978, with respect to any ad valorem tax levied by a county, municipality or other taxing authority other than the state, the governing body of any such county, municipality or other taxing authority may at any time, effective for ad valorem tax years beginning on and after October 1, 1978, increase or decrease the ratio of assessed value to their fair and reasonable market value or, as may otherwise be provided by law, to the current use value, as the case may be (herein called "the assessment ratio"), of any class of taxable property within the limits prescribed in the Constitution; provided, that the county, municipality or other taxing authority meets the criteria contained in this Section. If the receipts from any ad valorem tax with respect to which any assessment ratio has been so adjusted by any taxing authority during the ad valorem tax year beginning October 1, 1978, exceed by more than 5 percent, or are less than 95 percent of, the receipts from such ad valorem tax for the ad valorem tax year beginning October 1, 1977, then for the ad valorem tax years beginning on and after October 1, 1979, the taxing authority may adjust any assessment ratio with respect to such ad valorem tax in the manner provided for adjustments made during the ad valorem tax year beginning October 1, 1978. On and after October 1, 1979, the governing body of any county, municipality, or other taxing authority may at any time increase or decrease the assessment ratio applicable to any class of

taxable property; provided, that any proposed adjustment to an assessment ratio to be made pursuant to this sentence, whether an increase or a decrease, shall have been (1) proposed by the governing body of the taxing authority after a public hearing on such proposal, (2) thereafter approved by an act of the legislature, and (3) subsequently approved by a majority vote of the qualified electors residing in the taxing authority who vote on the proposal at a special election called and held in accordance with the law governing special elections; and provided further, that the county, municipality or other taxing authority meets the criteria contained in this Section. In determining whether any assessment ratio applicable to any class of taxable property may be increased or decreased by any such county, municipality or other taxing authority pursuant to this section, the following criteria shall be applied:

(a) If, on any October 1, the total assessed value of all property classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes more than 50% of the assessed valuation of all taxable property in the county, municipality or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased or decreased up to a maximum of 5 percentum differential from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

(b) If, on any October 1, the total assessed value of all properties classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes less than 20% of the assessed valuation of all taxable property in the county, municipality or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased up to a maximum of 5 per centum differential from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

(c) If, on any October 1, the total assessed value of all properties classified in any one class of taxable property located in the county, municipality or other taxing authority constitutes more than 75% of the assessed valuation of all taxable property in the county, municipality, or other taxing authority, the assessment ratio with respect to that class of taxable property may be increased or decreased up to a maximum of 5 per centum differential, and each assessment ratio of properties classified in any class of taxable property other than the aforementioned class of taxable property may be increased up to a maximum of 5 per centum differential, from the rates set forth in Section 40-8-1(a), Code of Alabama 1975, as amended.

Any action authorized by this section to be taken by a taxing authority, or the governing body thereof, shall, if there is no such governing body, be taken by resolution of the governing body of the county in which such taxing authority is located acting on behalf of such taxing authority.

Section 4. Each taxpayer who was assessed and who paid a higher amount of state, county or municipal ad valorem tax as a result of the completion of a county-wide property reappraisal, and the implementation of the newly appraised property values as the tax base in that county, between October 1, 1975 and the effective date of this Act shall be entitled to a credit against his tax liability arising under the same tax or taxes, in the amount of the increase which resulted from said reappraisal, to be used during such tax year or years as the taxpayer elects until the credit is exhausted.

Section 45. Repealer. All laws and parts of laws that are in con-

flict with any of the provisions of this Act are, to the extent of such conflict, repealed.

Section 56. Severability. If any portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining portions of this Act, which shall continue effective.

Section 67. Effective Date. This Act shall become effective upon the adoption of an amendment to Article XI, Section 217, Constitution of Alabama of 1901, as amended, proposed in House Bill No. 170 introduced at the Special Session of the Legislature of Alabama convened on July 31, 1978.

Yeas 88; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—88

Nays:

Messrs.: Buskey, Hall, Harrison, Hilliard, Jackson (R), Kennedy and Leonard.

—7

And the bill, H. 171 as thus amended, was again read at length and passed.

Yeas 87; Nays 7.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—87

Nays:

Messrs.: Buskey, Hall, Harrison, Hilliard, Jackson (R), Kennedy and Leonard.

—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties, municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Manley, the House concurred in and adopted the Senate amendment to the bill, H. 172, said Senate amendment being as follows:

Amend H. B. 172, line 8, on page three by the deletion of "quote" mark after the period and by the addition of the following after the period:

Notwithstanding the above, all property under lease as of the effective date of this Act which lease does not provide for a direct pass-through of property taxes to the lessee shall be appraised solely on the basis of the economic net return to the owner."

Yeas 82; Nays 9.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lutz, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

Nays:

Messrs.: Buskey, Hall, Harrison, Hilliard, Jackson (R), Kennedy, Leonard, Naramore and Smith (B).

—9

And the bill, H. 172 as thus amended, was again read at length and passed.

Yeas 88; Nays 8.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Harris, Hill, Hines, Holley, Holmes (A), Holmes (D), Howard, Jackson (F), Johnstone, Jolly, Kelley, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whitley, Williams and Wyatt.

—88

Nays:

Messrs.: Buskey, Hall, Harrison, Hilliard, Jackson (R), Johnson, Kennedy and Leonard.

—8

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of less than \$700,000.00 at each place of business of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Manley offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 173, said Senate amendment being as follows:

Amend H. B. 173 by removing the House amendment which amends title of bill to limit the inventory exemption to \$700,000.00

5th Day

SUBSTITUTE MOTION TO NON-CONCUR TABLED

On motion of Mr. Manley, the substitute motion offered by Mr. Gregg that the House non-concur in the Senate amendment to the bill, H. 173, and request a Committee on Conference, was tabled.

Yeas 56; Nays 30.

Yeas:

Messrs.: Armstrong, Baker, Barron, Biddle, Carothers, Carter, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Falkenburg, Gafford, Glass, Goodwin, Harris, Hines, Holmes (D), Jackson (F), Johnson, Kinsey, Lee, McCluskey, McMillan, Manley, Merrill, Mitchem, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Ray, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—56

Nays:

Messrs.: Albright, Andrews, Buskey, Campbell, Cates, Coburn, Edwards, Hall, Harrison, Hill, Hilliard, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Langford, Leonard, Lockett, McCulley, McNair, Moore (W), Quarles, Reed, Riddick, Smith (B), Thomas, Ward and Whatley.

—30

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 71. NAMING THAT SECTION OF U.S. HIGHWAY 31 WITHIN THE CITY LIMITS OF ALABASTER, "THE BARRY DURRETT MEMORIAL HIGHWAY."

Also:

H. J. R. 73. NAMING THE ACT WHICH H. 146 OF THE 1978 SECOND SPECIAL SESSION BECOMES, WHICH ACT ESTABLISHES THE ALABAMA STUDENT GRANT PROGRAM, "THE CALLAHAN-OWEN ACT."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 19. To transfer certain monies previously appropriated to the use of the Department of Conservation and Natural Resources for the repair of the dam at Chattahoochee State Park to the use of the said department for the purpose of Parks Fund.

Also:

H. 131. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1979, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of hog cholera, African swine fever and other swine diseases.

Also;

H. 146. To establish a student assistance program in the State of Alabama to be known as the Alabama Student Grant Program, which will provide for state grants, on behalf of and to the credit of eligible students who are bona fide residents of Alabama, to be paid to certain approved institutions of postsecondary education in Alabama; to set forth legislative findings and purposes underlying the Program; to provide for the grants payable under the Program; to designate the Alabama Commission on Higher Education to administer the Program; to vest the Alabama Commission on Higher Education with the powers and duties reasonably needed for the effective implementation and administration of the Program; to establish various procedures and requirements concerning the availability of grants, applications for grants, approval and award of grants, renewal of grants, and revocation of grants; to prohibit the use of grants for religious or sectarian purposes and to prohibit the use of money raised for the support of public schools to support schools of a predominantly sectarian or denominational character; to provide for periodic auditing of approved institutions; to provide for periods when there may be insufficient funds to provide such eligible student with a full grant for the terms requested; to provide a penalty for false statements or misrepresentations in connection with the procurement of grants; to provide for severability; to repeal conflicting laws; and to provide an effective date.

Also:

H. 175. To exempt homesteads from all ad valorem property taxes levied by any county of the State of Alabama; to specify the amount of such exemption and the taxpayers eligible to claim such exemption; to provide a greater homestead exemption for persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind; and to provide an effective date for the act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

5th Day

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 9. To authorize, in implementation of the constitutional amendment proposed in the act introduced as House Bill No. 10 introduced at the Special Session of the Legislature convened on July 31, 1978, the sale and issuance of not exceeding \$15,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving state prisons, facilities for the housing, training, education or rehabilitation of prisoners, and other penal and correctional institutions and facilities (including sites therefor) necessary or useful in connection with such prisons and other facilities; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, conditions, execution, and issuance of said bonds and the use of the proceeds therefrom; and to authorize the issuance of refunding bonds for the purpose of refunding the principal and interest of any then outstanding bonds theretofore issued pursuant to this Act, the expenses of such refunding and any premiums necessary to retire those bonds so refunded. Nothing in this act shall be used to increase the prison population of Elmore or Escambia Counties.

Also:

H. 10. To propose a constitutional amendment authorizing the State of Alabama to issue not exceeding \$15,000,000 principal amount of general obligation bonds for the purpose of financing the acquisition, construction, equipment and improvement of state prisons and other penal and correctional facilities (including sites therefor).

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 173 RESUMED

The question was again on the motion offered by Mr. Manley, that the House concur in and adopt the Senate amendment to the bill, H. 173.

SUBSTITUTE MOTION TABLED

On motion of Mr. Manley, the substitute motion offered by Mr. Lutz that the House non-concur in the Senate amendment to the bill, H. 173, and request a Committee on Conference with instruction, was tabled.

Yeas 51; Nays 42.

Yeas:

Mr. Speaker, Baker, Barron, Carothers, Clark, Cross, Crowe, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Harris, Hines, Holmes (D), Jackson (F), Johnson, Kinsey, Lee, McMillan, McNees, Manley, Merrill, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (C), Smith (J), Smith (M), Sonnier, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.

—51

Nays:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Campbell, Carter, Cates, Coburn, Crawford, Dial, Greer, Gregg, Hall, Harrison, Hill, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Killian, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McNair, Mitchem, Moore (W), Ray, Reed, Riddick, Shoemaker, Smith (B), Thomas, Ward and Whatley.

—42

The question was again on the motion offered by Mr. Manley that the House concur in and adopt the Senate amendment to the bill, H. 173.

SUBSTITUTE MOTION TABLED

On motion of Mr. Manley, the substitute motion offered by Mr. Leonard that the House non-concur in the Senate amendment to the bill, H. 173, and request a Committee on Conference with instructions to set the limit at \$750,000 was tabled.

Yeas 47; Nays 40.

Yeas:

Messrs.: Baker, Barron, Carothers, Clark, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Hines, Holmes (D), Jackson (F), Johnstone, Kinsey, Lee, McMillan, Manley, Martin, Merrill, Moore (O), Morris, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Sonnier, Towns, Trammell, Venable, Waggoner, Warren, White, Williams and Wyatt.

—47

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Campbell, Carter, Cates, Coburn, Crawford, Greer, Gregg, Hall, Harris, Harrison, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (R), Johnson, Jolly, Kennedy, Langford, Leonard, Lockett, Lutz, McNair, McNees, Mitchem, Moore (W), Naramore, Reed, Riddick, Smith (B), Sparks, Starkey, Thomas, Ward and Whatley.

—40

The question was again on the motion offered by Mr. Manley, that the House concur in and adopt the Senate amendment to the bill, H. 173, and the motion was adopted.

Yeas 67; Nays 27.

Yeas:

Mr. Speaker, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg,

Ford, Gafford, Glass, Goodwin, Greer, Harris, Hill, Hines, Holmes (D), Jackson (F), Johnstone, Killian, Kinsey, Lee, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Venable, Waggoner, Warren, Weeks, White, Williams and Wyatt.,

—67

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Coburn, Gregg, Hall, Harrison, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (R), Johnson, Jolly, Kennedy, Langford, Leonard, Lockett, McCulley, McNair, Riddick, Smith (B), Thomas, Ward and Whatley.

—27

And the bill:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

As thus amended, was again read at length and passed.

Yeas 73; Nays 23.

Yeas:

Mr. Speaker, Baker, Barron, Biddle, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Harris, Hill, Hines, Holmes (D), Jackson (F), Johnson, Johnstone, Kelley, Killian, Kinsey, Lee, Lockett, McMillan, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams and Wyatt.

—73

Nays:

Messrs.: Albright, Andrews, Armstrong, Buskey, Gregg, Hall, Harrison, Hilliard, Holley, Holmes (A), Hopping, Howard, Jackson (R), Jolly, Kennedy, Langford, Leonard, McCluskey, McCulley, McNair, Riddick, Smith (B) and Thomas.

—23

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owen, the House concurred in and adopted the Senate amendment to the bill, H. 174, said Senate amendment being as follows:

Amend House Bill No. 174, Page 3, Line 11, by adding the following sentence:

"In order to qualify for exemption under this section such principal residence must be a single-family residence owned and occupied by a person qualifying under this section."

Amend Section 2 of House Bill 174 by adding after the word "older" on Line 30, page 2 the following words and figures;

"having a net annual taxable income of \$7500.00 or less, as shown on such person and spouse's latest United States Income Tax return."

Also further amend Section 2 by adding after the word "older" on Line 37, page 2 the following words and figures;

"having a net annual taxable income of \$7500.00 or less, as shown on such person and spouse's latest United States Income Tax Return."

Yeas 90; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCluskey, McCulley, McMillan, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—90

Nay: Mr. Hopping.

—1

And the bill, H. 174 as thus amended, was again read at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gaf-

ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Lockett, McCluskey, McCulley, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—93

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill: S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith. and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Goodwin, Vacca, and King.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pegues, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 49.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Campbell, Carothers, Carter, Cates, Clark, Coburn, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Hill, Hilliard, Holley, Holmes (A), Holmes (D), Hopping, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, McCulley, McMillan, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Whatley, White, Williams and Wyatt.

—90

The Speaker appointed as a committee on the part of the House Messrs. Pegues, Falkenburg and White.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I transmit herewith a Message from the Governor concerning House Bill Number 65, without his signature and approval and with a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II
Executive Secretary.

DONE THIS 4TH DAY OF AUGUST 1978.

To the House of Representatives
State Capitol
Montgomery, Alabama

Ladies and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 65 without my signature and approval and with the following suggested Executive Amendments.

Amend Section 1 by deleting the following language:

"Eighty percent (80%) of the total in lieu of taxes payments are distributed to these local governments. Payments will continue at this level of distribution each year thereafter."
and insert in lieu thereof the following:

"Seventy percent (70%) is obtained, and in the fiscal year beginning October 1, 1985, the amount shall be increased five percent (5%) until Seventy-five percent (75%) of the total in lieu of taxes payments are distributed to these local governments. Payments will continue at this level of distribution each year thereafter."

I further suggest that Section 1 be amended by adding the following:

"Five percent (5%) of the total amount the state receives in lieu of tax payments from the TVA Authority shall be distributed back to the counties which prohibit the sale of alcoholic beverages and are not served by the TVA Authority and each such county's share shall be on the same proportionate basis as each such dry non T.V.A. served county received in fiscal year 1979 from the State Alcoholic Beverage Control Board as that county's share of alcoholic beverage taxes and profits when compared to the total amount received by all dry non T.V.A. served counties during the same fiscal year.

"Any county which is eligible to receive funds under the provisions of Section 2 of this act and which prohibits the sale of alcoholic beverages shall receive from that portion of in lieu of tax payment funds not less than that sum which such county would receive if that county were eligible for payments from the distribution, by the Alabama Alcoholic Beverage Control Board, of taxes and profits from the sale of alcoholic beverages for the previous fiscal year."

I further suggest that Section 2 be amended by adding in the first paragraph immediately following the words "of the Tennessee Valley Authority is located" the following words:

"Any county receiving a share of said payments that has within its boundaries a municipality or part of a municipality that is served in whole or in part by TVA, shall share the county's payments with said municipality in the same ratio that the TVA served population of the municipality bears to the total TVA served population of the entire county."

I further suggest that Section 2 be amended by deleting in its entirety the following language:

"Any portion of a counties share of said payments is to be paid to the municipalities who are served by TVA in the same proportion that the population of the served municipalities bears to the population of those who are served by TVA within the county."

The adoption of the above and foregoing suggested Executive Amendments will remove my objections to this Bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Riddick, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 65, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 80; Nays 17.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holmes (D), Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Lee, Leonard, Lutz, McCulley, McMillan, McNair, McNees, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Waggoner, Ward, Warren and White.

—80

Nays:

Messrs.: Barron, Buskey, Campbell, Carothers, Holley, Holmes (A), Kennedy, Langford, Lockett, McCluskey, Plaster, Sasser, Venable, Weeks, Whatley, Williams and Wyatt.

—17

And the bill;

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

As thus amended by the amendment proposed by His Excellency the Governor, was again read at length and passed.

Yeas 66; Nays 31.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Callahan, Carter, Cates, Clark, Coburn, Cooper, Cross, Crowe, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris,

Hill, Hilliard, Hines, Hopping, Howard, Jackson (R), Johnson, Johnstone, Jolly, Kelley, Killian, Kinsey, Leonard, Lutz, McCulley, McMillan, McNair, McNees, Martin, Mitchem, Moore (O), Moore (W), Naramore, Owens, Quarles, Roberts, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (J), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Waggoner and White.

—66

Nays:

Messrs.: Barron, Buskey, Campbell, Carothers, Crawford, Dial, Harrison, Holley, Holmes (A), Holmes (D), Kennedy, Langford, Lee, Lockett, McCluskey, Manley, Merrill, Morris, Pegues, Plaster, Ray, Robertson, Smith (C), Smith (M), Venable, Ward, Warren, Weeks, Whatley, Williams and Wyatt.

—31

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clemon:

S. J. R. 38. NAMING SENATE BILL 1 THE OSCAR RAY PEDEN ACT

WHEREAS, the Honorable Oscar Ray Peden, State Senator, from the 1st District, has worked diligently and faithfully for the passage of Senate Bill 1; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Senate Bill 1 shall be known as the Oscar Ray Peden bill and that the Legislature of Alabama wishes to express deep appreciation for his efforts in obtaining passage of this bill through both houses of the Alabama Legislature.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 38, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration;

By Mr. Wilson;

S. J. R. 32. NAMING HOUSE BILL 150 THE ELLIS HAZARDOUS WASTE MANAGEMENT ACT.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 32, the title of which is set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Gilmore;

S. J. R. 33. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

WHEREAS, continuing and concerted efforts on the part of congressional delegations from the northeast and midwest regions of the United States, if successful, will bring about the adoption of legislation that will discriminate against the economies of other of our nation's regions in the allocation of federal funds; and

WHEREAS, to counter this drive by northeast-midwest coalitions, the National Economic Research Institute was organized to analyze and study legislation in all areas vital to Alabama's economy and that of all sunbelt states; and

WHEREAS, the establishment of the Alabama Sunbelt Conference, to work in cooperation with the National Economic Research Institute and other coalitions of interested southern and western states, will create a broad based organization in Alabama to aid our Congressional Delegation in their actions to protect the economy of our state and region at the federal level; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do fully approve and strongly support the establishment of the Alabama Sunbelt Conference and its efforts to assist in the compilation of information, and dissemination of same to state and private agencies, to ensure fair and equitable treatment of our state and of all regions of the nation by the Congress and federal administration in the allocation of federal funds.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented at the upcoming Alabama Sunbelt Conference, August 31, 1978, at the Montgomery Civic Center in Montgomery, Alabama, with copies provided also for all members of the Alabama Congressional Delegation in Washington, D.C.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carothers, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 33, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Mitchell, Waldrop, Lt. Gov. Beasley, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Goodwin, Higginbotham, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Peden, Perloff, Perry, Powell, Proctor, Roberts, St. John, Shelby, Stewart, Teague, Vacca and Wilson:

S. J. R. 12. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

WHEREAS, the Legislature of Alabama has been grievously saddened by the death of our beloved United States Senator, James B. Allen, on June 1, 1978, at the age of 65; and

WHEREAS, James Browning Allen was born on December 28, 1912, at Gadsden in Etowah County, Alabama, son of George C. and Mary Ethel Browning Allen; he was educated in the public schools of Gadsden and was a graduate of the University of Alabama School of Law; and

WHEREAS, a practicing attorney from 1936 until 1968, Jim Allen, first and foremost, was a man truly dedicated to morality of principle, devoting some 30 years of his life in service to his state, his nation and its people; he was a member of the Alabama House of Representatives, as was his father before him, and he also was a member of the Alabama Senate who later became our state's first Lieutenant Governor to be twice elected to that office; and

WHEREAS, he served our nation as well, both as a member of the United States Navy during World War II and as United States Senator, first elected in 1968 to be overwhelmingly re-elected by his fellow Alabamians in 1974; and

WHEREAS, even as a freshman senator, James Allen rapidly rose to prestige, power and prominence, not only as that body's acknowledged master of parliamentary procedure, but as a sane and sensible voice ever raised in protest of policies and proposals contrary to his innate sense of right and reason; and

WHEREAS, Senator Allen's greatness was in his goodness; he loved and was loved by those he served, those who now grievously mourn his death with a deep sense of sadness and loss; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That even as we stand in tribute to his accomplishments, we bow in sorrow, recognizing that the death of The Honorable James Browning Allen leaves seeds sown in hope still to be nurtured by others that we may further reap the rewards of his labors of a lifetime.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mrs. Maryon Mullins Allen and to James B. Allen, Jr., that they may know of our shared sorrow in the loss of their husband and father, a great American statesman and our good friend.

SENATE MESSAGE

On motion of Mr. Carothers, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 12, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Waldrop:

S. J. R. 22. COMMENDING GADSDEN TIMES STAFF WRITER, VIRGINIA BROCK, ON RECENT HONORS RECEIVED.

Also:

By Mr. Owen:

S. J. R. 24. COMMENDING COACH JIM GLOVER ON HIS OUT-
STANDING CAREER.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carothers, the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 22 and S. J. R. 24, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Gilmore;

S. J. R. 27. NAMING THE INDUSTRIAL TRAINING CENTER
TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COL-
LEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carothers, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 27, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution introduced on the second legislative day was read by title pursuant to Joint Rule 11:

H. R. 47. COMMENDING THE DEAN'S CHAPEL COMMUNITY
CLUB FOR CIVIC RESPONSIBILITY.

On motion of Mr. Killian, the resolution was adopted en masse.

RESOLUTION

The following resolution was introduced:

By Messrs. Waggoner, Dial, Carothers, Williams and Morris:

H. R. 75. COMMENDING THOSE REPRESENTATIVES WHO
HAVE NOT HAD RESOLUTIONS PASSED IN PRAISE OF THEIR
PERFORMANCE FOR THE PAST FOUR YEARS.

WHEREAS, there are many members of the Alabama House of Representatives who have most capably performed their duties during the past four years, working diligently for their districts and for the State of Alabama; and

WHEREAS, many of these outstanding gentlemen have not been commended for their meritorious service; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That, in praise of their dedication and devotion to duty, we most highly commend all those who, within the past four years, have not been recognized by resolution of this body.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Carothers to suspend the rules and adopt the resolution, H. R. 75, was lost.

The resolution, H. R. 75, was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Johnson to suspend the rules in order to take up out of order the bills, S. 16 and S. 19, was lost, lacking a four-fifths vote.

Yeas 48; Nays 14.

Yeas:

Messrs.: Albright, Andrews, Armstrong, Biddle, Buskey, Carothers, Clark, Cooper, Crowe, Drake, Falkenburg, Ford, Gafford, Glass, Hall, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Johnson, Kennedy, Kinsey, Langford, Lee, Lockett, McCulley, McNair, McNeas, Martin, Moore (O), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Reed, Robertson, Smith (B), Smith (C), Smith (J), Thomas, Towns, Trammell, Warren and White.

—48

Nays:

Messrs.: Barron, Dial, Harrison, Killian, Lutz, Ray, Sandusky, Shelton, Smith (M), Starkey, Venable, Waggoner, Ward and Wyatt.

—14

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Adams:

S. J. R. 39. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

WHEREAS, William A. Jackson was appointed legal advisor to the Governor on May 22, 1972, and has served continuously in that position until the present; and

WHEREAS, William A. Jackson, known to this Legislature and all his many friends merely as "Bill", is a man of deep insight, keen discrimination, and rare judgment; and

WHEREAS, we have all enjoyed working with Bill during this period and have found him to be most generous of his time and talent when we came to him for advice; and

WHEREAS, he has been a most successful liaison man between the Governor's Office and the Legislature, who was always willing to listen to our problems and concerns; and

WHEREAS, we have found him to be a man of integrity and dignity, loyal to his friends and to his Governor, and dedicated in his sense of duty and responsibility to the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes to express its sincere appreciation to the Honorable William A. "Bill" Jackson for his valuable assistance to this Legislature and for his loyal and faithful service to the Governor and to the people of Alabama, and we do wish him well in all his future endeavors.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to our good friend, Bill Jackson.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. White, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 39, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 49

We the Committee of Conference appointed to reconcile the differences of the two houses concerning Senate Bill 49 as amended have met in conference and have agreed to the following report:

Amend Senate Bill 49 as amended by deleting the following amendment:

"Section 2. No health insurance company public or private which is engaged in the business of selling to the public, insurance which covers the same medical services as those provided by the Alabama Medicaid Program shall be eligible to contract with the Medical Services Administration as its fiscal intermediary."

Re-number the subsequent sections chronologically.

Earl Goodwin
P. P. Vacca
Bill G. King
Senate Conferees

Dewey White, Jr.
R. Leigh Pegues
D. D. Falkenburg
House Conferees

And said Bill, S. B. 49, together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. White, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 49, said Report being set out in the above and foregoing Message from the Senate.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Andrews, Baker, Barron, Buskey, Campbell, Carothers, Cates, Cooper, Crawford, Crowe, Dial, Drake, Edwards, Falkenburg, Gafford, Glass, Goodwin, Hall, Harrison, Hilliard, Hines, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Killian, Kinsey, Langford, Lutz, McCluskey, McMillan, McNees, Manley, Mitchem, Moore (O), Moore (W), Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Smith (B), Smith (C), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—65

And the bill:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Carothers, Carter, Cates, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Hall, Harris, Hilliard, Holley, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Killian, Kinsey, Langford, Lutz, McCluskey, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Quarles, Ray, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—81

S. 17 RESUMED

AMENDMENT ADOPTED

The question was again on the adoption of the amendment to the bill S. 17, previously reported by the Standing Committee on Ways and Means, and the amendment was adopted.

5th Day

Yeas 67; Nays 4.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Carothers, Carter, Clark, Coburn, Crawford, Cross, Crowe, Drake, Edwards, Falkenburg, Ford, Gafford, Goodwin, Greer, Hall, Hill, Hilliard, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Kennedy, Killian, Kinsey, Langford, Lee, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Mitchem, Moore (O), Morris, Pegues, Plaster, Quarles, Reed, Roberts, Robertson, Shoemaker, Smith (B), Smith (C), Smith (J), Sparks, Starkey, Towns, Trammell, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams and Wyatt.

—67

Nays: Messrs.: Barron, Campbell, Glass and Moore (W).

—4

AMENDMENT OFFERED

Mr. Naramore offered the following amendment to the bill, S. 17 as amended:

Amend Senate Bill 17 by adding on line 16 of Page 13 the following:

"Section 3. The provisions of this bill shall not become effective if it is determined that the provisions contained herein decrease or encumber any funds of the Alabama Teachers Retirement System or in any way lessen or deplete in any way the funds of said system.

MOTION TO TABLE LOST

The motion offered by Mr. White to table the amendment offered by Mr. Naramore to the bill, S. 17 as amended, was lost.

Yeas 17; Nays 42.

Yeas:

Messrs.: Armstrong, Barron, Campbell, Clark, Falkenburg, Gafford, Hall, Holmes (D), Lockett, Manley, Moore (W), Morris, Pegues, Quarles, Shelton, Whatley and White.

—17

Nays:

Mr. Speaker, Albright, Andrews, Baker, Biddle, Buskey, Carter, Coburn, Cooper, Crawford, Crowe, Ford, Glass, Goodwin, Hilliard, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Kennedy, Killian, Langford, McNair, McNees, Mitchem, Moore (O), Naramore, Owens, Plaster, Roberts, Robertson, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Waggoner, Weeks, Williams and Wyatt.

—42

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Naramore to the bill, S. 17 as amended, and the amendment was adopted.

Yeas 55; Nays 2.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Biddle, Buskey, Campbell, Carter, Clark, Cooper, Crawford, Cross, Crowe, Edwards, Falkenburg, Ford, Goodwin, Greer, Hall, Harrison, Hill, Hilliard, Hop-

ping, Howard, Jackson (F), Jackson (R), Johnson, Kelley, Kennedy, Kinsey, Lutz, McCluskey, McCulley, McNair, McNees, Martin, Mitchem, Moore (O), Naramore, Plaster, Quarles, Roberts, Robertson, Shelton, Shoemaker, Smith (C), Sparks, Starkey, Towns, Trammell, Waggoner, Ward, Weeks and Whatley.

—55

Nays: Messrs.: Barron and Glass.

—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

by a majority of the whole number elected to the Senate, said vote being Yeas 30, Nays 1.

And said Bill, H. B. 65, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Hill:

H. J. R. 76. NAMING THE ACT WHICH H. 65 OF THE 1978 SECOND SPECIAL SESSION BECOMES, WHICH ACT PROVIDES FOR THE DISTRIBUTION OF A CERTAIN PORTION OF TVA FUNDS AND TAXES AND PROFITS FROM THE SALE OF ALCOHOLIC BEVERAGES BACK TO THE COUNTIES, "THE GREER-RIDDICK ACT."

WHEREAS, Representatives Lynn Greer and Frank Riddick worked long and diligently for the passage of H. 65 in the 1978 Second Special Session, which bill provides for the distribution of a certain portion of the TVA funds and taxes and profits from the sale of alcoholic beverages back to the counties; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the act which H. 65 of the 1978 Second Special Session becomes shall be known as "The Greer-Riddick Act."

On motion of Mr. Hill, the rules were suspended and the resolution, H. J. R. 76, was adopted.

S. 17 RESUMED

AMENDMENT OFFERED

Mr. Turnham offered the following amendment to the bill, S. 17 as amended:

Amend S. B. 17 on page 1, line 20 by inserting after Teachers the words Alabama Council for School Administration and Supervision.

On page 2, line 17 after the word Teachers add Alabama Council for School Administration and Supervision.

On page 11, line 23 after the word Teachers add the executive committee or officers of the Alabama Council for School Administration and Supervision.

No State monies from any source shall be spent on these personnel, including retirement fund money.

MOTION TO TABLE LOST

The motion offered by Mr. Naramore to table the amendment offered by Mr. Turnham to the bill, S. 17 as amended, was lost.

Yeas 21; Nays 22.

Yeas:

Messrs.: Albright, Andrews, Buskey, Drake, Goodwin, Hall, Hopping, Howard, Kennedy, Kinsey, Langford, McNair, Martin, Moore (O), Naramore, Plaster, Quarles, Smith (J), Sonnier, Sparks and Trammell.

—21

Nays:

Messrs.: Baker, Barron, Campbell, Carothers, Coburn, Crawford, Edwards, Falkenburg, Gafford, Gregg, Killian, Lockett, Lutz, Manley, Ray, Shelton, Smith (C), Turnham, Ward, Whatley, White and Williams.

—22

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Mr. Turnham to the bill, S. 17 as amended, and the amendment was adopted.

Yeas 31; Nays 17.

Yeas:

Messrs.: Baker, Campbell, Carothers, Coburn, Crawford, Dial, Edwards, Falkenburg, Gafford, Gregg, Holley, Holmes (D), Jackson (F), Lockett, Lutz, Manley, Martin, Pegues, Quarles, Ray, Reed, Shelton, Shoemaker, Smith (B), Smith (C), Turnham, Ward, Weeks, Whatley, White and Williams.

—31

Nays:

Messrs.: Albright, Andrews, Buskey, Drake, Goodwin, Hall, Harrison, Hopping, Howard, Kennedy, Killian, Leonard, Moore (O), Moore (W), Naramore, Sparks and Trammell.

—17

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 17 as thus amended, was read a third time at length and passed.

Yeas 51; Nays 13.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Buskey, Carothers, Cross, Crowe, Drake, Edwards, Goodwin, Greer, Hall, Hill, Hilliard, Holley, Holmes (D), Howard, Jackson (R), Kennedy, Kinsey, Langford, Leonard, Lockett, McCulley, McNair, McNees, Martin, Mitchem, Moore (O), Morris, Naramore, Plaster, Quarles, Ray, Reed, Roberts, Shelton, Shoemaker, Smith (J), Smith (M), Sparks, Thomas, Towns, Trammell, Turnham, Warren, Weeks, Williams and Wyatt.

—51

Nays:

Messrs.: Barron, Campbell, Cates, Crawford, Falkenburg, Gafford, Gregg, Killian, Moore (W), Smith (B), Smith (C), Whatley and White.

—13

MOTION TO RECONSIDER TABLED

Having voted on the prevailing side, Mr. Roberts offered the motion to reconsider the vote by which the bill, S. 17 as amended, was passed, and on motion of Mr. Naramore, the motion to reconsider was tabled.

Yeas 33; Nays 22.

Yeas:

Mr. Speaker, Albright, Andrews, Crawford, Crowe, Drake, Ford, Hall, Holmes (D), Hopping, Howard, Kennedy, Langford, Lockett, McNees, Martin, Moore (O), Naramore, Pegues, Robertson, Sasser, Shelton, Shoemaker, Sonnier, Sparks, Thomas, Towns, Trammell, Turnham, Warren, Weeks, Williams and Wyatt.

—33

Nays:

Messrs.; Armstrong, Baker, Barron, Biddle, Campbell, Carter, Cross, Falkenburg, Gafford, Glass, Gregg, Harrison, Hilliard, Jackson (R), Lutz, Mitchem, Moore (W), Quarles, Roberts, Waggoner, Whatley and White.

—22

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Harris, the rules were suspended in order to take up out of order the bill, H. 186.

And the bill:

H. 186. Pertaining to the Fifteenth Judicial Circuit of Alabama; to amend Act No. 597 of the 1978 Regular Session so as to increase the amount of appropriations to the Fifteenth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 23; Nays 1.

Yeas:

Mr. Speaker, Albright, Andrews, Barron, Crawford, Ford, Harris, Holmes (A), Johnstone, Killian, Langford, Lockett, McCulley, McNees, Pegues, Plaster, Quarles, Roberts, Sasser, Sonnier, Starkey, Williams and Wyatt.

—23

Nay: Mr. Whatley.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

PERMISSION GRANTED

Permission was granted for the Journal to show Mr. Johnstone added as co-sponsor to the bill, H. 186.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

said Conference Report being in words and figures as follows:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 56

We, your Committee on Conference, appointed to reconcile the differences between the two Houses on the Bill, Senate Bill 56, beg leave to report as follows:

That the House of Representatives and the Senate of Alabama adopt the accompanying Conference substitute.

Hugh Merrill

James Sasser

Richard Manley

CONFEREES ON PART OF THE HOUSE

L. D. Owen, Jr.

J. Richmond Pearson

G. J. Higginbotham

CONFEREES ON PART OF THE SENATE

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, for the support of public education in Alabama for the fiscal year ending September 30, 1979 and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 8, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs are shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, the following definitions shall be applicable: (a) "Capital Outlay" shall include all expenditures for the purchase of land, buildings, and renovations; (b) "Equipment-Other than Automotive" shall mean those items of office equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (c) "Automotive Equipment" shall mean those items of motor vehicle equipment only and the money appropriated therefore shall be expended only for such purposes. The amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (b) and (c) hereof; (d) "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus Account and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1979 and except as may be otherwise expressly provided, the appropriation herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 4, Chapter 4, Title 41 of the Code of Alabama 1975), the provisions of Act No. 494 adopted at the 1976 Regular Session, and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Federal and Other Funds" and "Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for and efficient use of the funds available to and hereby appropriated by the legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2.

Provided, that if, at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

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| | Fund Sources Included In Appropriation Total | | |
|---|---|----------------|------------------------|
| | ASETF | Trust Funds | Appropriation Total |
| Section 3. | | | |
| A. STATE AGENCIES | | | |
| 1. Council on the Arts and Hu- manities | | | |
| (a) Fine Arts Program | | | 914,098 |
| (b) Birmingham Symphony | | | 95,000 |
| (c) Alabama Shakespeare Festi- val | | | 2,500 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 397,500 | | |
| (2) Federal and Local Funds | | 614,098 | |
| Total Council on the Arts and Hu- manities | 397,500 | 614,098 | 1,011,598 |
| 2. Debt Service | | | |
| (a) For the payment of principal and interest due on bonds issued by the University of Alabama Re- search-Institute pursuant to Constitutional Amendment No. CLVII | | | 211,300 |
| (b) Interest on Endowments: | | | |
| For interest on University of Mon- tevallo (Alabama College) En- dowment, Estimated | | | 45,000 |
| For interest on Auburn University Endowment | | | 20,280 |
| For interest on University of Ala- bama Endowment | | | 61,000 |
| For interest on Grove Hill Endow- ment | | | 600 |
| For interest on Public School Fund Endowment: | | | |
| Interest on 16th Section lands, Esti- mated | | | 410,000 |
| Interest on School Indemnity lands, Estimated | | | 90,000 |
| Interest on Valueless 16th Section lands | | | 5,825 |
| Interest on Surplus plus Reve- nue | | | 26,764 |

| | |
|---------------------------|---------|
| Interest on James Wallace | |
| Fund | 275 |
| Total | 659,744 |

SOURCE OF FUNDS:

| | | |
|--------------------------|---------|---------|
| (1) ASETF | 871,044 | |
| Total Debt Service | 871,044 | 871,044 |

3. Board of Dental Scholarship Awards

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 228,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 228,000 | |
| Total Board of Dental Scholarship Awards | 228,000 | 228,000 |

(To be expended under the provisions of Act No. 662, 1977 Regular Session.)

4. Department of Education

| | |
|-------------------------------------|-------------|
| (a) Financial Assistance Program .. | 227,074,395 |
|-------------------------------------|-------------|

The proposed spending plan for the above is as follows:

| | |
|--|------------|
| Vocational Education and Other Financial Assistance Programs | 48,503,717 |
|--|------------|

(\$300,000 is to be used for Agribusiness Center)

SOURCE OF FUNDS:

| | | |
|--|-------------|-------------|
| (1) ASETF | 48,503,717 | |
| (2) Federal and Local Funds | 178,570,678 | |
| Total Financial Assistance Program | 48,503,717 | 178,570,678 |
| | | 227,074,395 |

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon recommendation of the State Superintendent.

In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula. Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institution for contractual services to private profit agencies, organizations and in-

stitutions except for the purposes of the renovations, repair and rental of buildings and equipment.

Of the amount appropriated above for the fiscal year ending September 30, 1979, for distribution to local boards of education in addition to salary now received and all salary increments due, all vocational teachers shall receive salary increases as follows: Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum for the regular academic year. Persons employed for ten, eleven, or twelve months shall receive an additional pro rata salary increase.

(b) Instructional Technical Assistance Program _____ 7,231,665

The proposed spending plan for the above is as follows:

| | |
|---|-----------|
| Civil Defense | 24,200 |
| Drug Education | 181,500 |
| Operation & Maintenance of Department | 311,681 |
| Right-to-Read | 85,000 |
| Career Education | 110,000 |
| Kindergarten Adm. | 85,000 |
| Minimum Program—Trainable Retarded Children | 524,307 |
| National Defense | 399,300 |
| Vocational Education | 1,466,673 |
| Alabama Learning Resource Center | 60,000 |

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 3,267,661 | | |
| (2) Federal & Local Funds | | 3,964,004 | |
| Total Instructional Technical Assistance Program | 3,267,661 | 3,964,004 | 7,231,665 |

(The appropriation for Minimum Program — Trainable Retarded Children is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.)

(c) Local Agency Support Program _____ 11,182,190

The proposed spending plan for the
above is as follows:

| | |
|--|-----------|
| Coordination of In-School Tele- vision | 127,201 |
| Driver Education, School Bus Driver Training and Vehicle Safety Inspection | 371,289 |
| Operation & Maintenance of De- partment | 337,490 |
| Testing | 425,000 |
| Developing, Printing and Publish- ing Legal & Policy Man- uals | 5,000 |
| Free Textbooks | 8,602,500 |
| Plans & Surveys | 90,150 |
| Facilities Survey | 300,000 |

SOURCE OF FUNDS:

| | | | |
|---|------------|---------|------------|
| (1) ASETF | 10,258,630 | | |
| (2) Federal and Local Funds | | 923,560 | |
| Total Local Agency Support Pro- gram | 10,258,630 | 923,560 | 11,182,190 |
| (d) Regulation Program | | | 879,432 |

The proposed spending plan for the
above is as follows:

| | |
|--|---------|
| Operation & Maintenance of De- partment | 349,199 |
| Teacher Certification & Accredita- tion | 237,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|---------|-----------|
| (1) ASETF | 586,199 | | |
| (2) Federal and Local Funds | | 293,233 | |
| Total Regulation Program | 586,199 | 293,233 | 879,432 |
| (e) Administrative Services Pro- gram | | | 8,478,141 |

The proposed spending plan for the
above is as follows:

| | |
|--|-----------|
| Compact for Education | 20,750 |
| Operation & Maintenance of De- partment | 1,600,043 |

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Telephone Revolving
Fund 1,200,000

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 2,820,793 | | |
| (2) Federal and Local Funds | | 5,657,348 | |
| | | | |
| Total Administrative Services Program | 2,820,793 | 5,657,348 | 8,478,141 |
| (f) Adult Basic Education Program | | | 5,660,599 |

The proposed spending plan for the above is as follows:

Adult Basic Education 1,700,000
Community Education 100,000
Operation & Maintenance of Department 15,052

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|-----------|
| (1) ASETF | 1,815,052 | | |
| (2) Federal and Local Funds | | 3,845,547 | |
| | | | |
| Total Adult Basic Education Program | 1,815,052 | 3,845,547 | 5,660,599 |
| (g) Continuing Education Program | | | 777,323 |

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department 20,862
Administration of Private School Act 49,500

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF | 70,362 | | |
| (2) Federal and Local Funds | | 706,961 | |
| | | | |
| Total Continuing Education Program | 70,362 | 706,961 | 777,323 |
| (h) Administration of Post-Secondary Vocational-Technical Education Program | | | 9,243 |

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department 9,243

SOURCE OF FUNDS:

| | | |
|---|-------|-------|
| (1) ASETF | 9,243 | |
| Total Admin. of Post-Secondary Vocational-Technical Education Program | 9,243 | 9,243 |

| | | |
|--|--|-------|
| (i) Administration of Junior College School System Program | | 9,243 |
|--|--|-------|

The proposed spending plan for the above is as follows:

Operations & Maintenance of Department 9,243

SOURCE OF FUNDS:

| | | |
|--|-------|-------|
| (1) ASETF | 9,243 | |
| Total Adm. of Junior College School System Program | 9,243 | 9,243 |

| | | |
|---|--|------------|
| (j) Rehabilitation Services Program | | 32,839,711 |
|---|--|------------|

SOURCE OF FUNDS:

| | | |
|---|-----------|------------|
| (1) ASETF | 7,097,000 | |
| (2) Federal and Local Funds | | 25,742,711 |
| Total Rehabilitation Services Program | 7,097,000 | 25,742,711 |
| | | 32,839,711 |

(Of the above appropriation the sum of \$200,000 is to be spent for services for handicapped individuals for recreation at accredited year-round camping facility to be contracted through the Division of Vocational Rehabilitation Services of the Dept. of Education.)

| | | |
|------------------------------|--|---------|
| (k) Hemophilia Program | | 300,000 |
|------------------------------|--|---------|

SOURCE OF FUNDS:

| | | |
|--------------------------------|---------|---------|
| (1) ASETF | 300,000 | |
| Total Hemophilia Program | 300,000 | 300,000 |

(As provided for under Act 1181, 1975 Regular Session.)

| | | |
|-----------------------------|--|-----------|
| (1) Homebound Program | | 2,900,000 |
|-----------------------------|--|-----------|

SOURCE OF FUNDS:

| | | |
|-----------------|-----------|--|
| (1) ASETF | 2,900,000 | |
|-----------------|-----------|--|

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| | | | |
|-------------------------------|-----------|--|-----------|
| Total Homebound Program | 2,900,000 | | 2,900,000 |
|-------------------------------|-----------|--|-----------|

(The above appropriation is to be expended in accordance with Act No. 109, Third Special, 1975, approved May 1, 1975.)

| | | | |
|--|--|--|-----------|
| (m) Disability Determination for Social Security Program | | | 7,549,812 |
|--|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|--|--|
| (1) Federal and Local Funds | 7,549,812 | | |
|-----------------------------------|-----------|--|--|

| | | | |
|--|-----------|--|-----------|
| Total Disability Determination for Social Security Program | 7,549,812 | | 7,549,812 |
|--|-----------|--|-----------|

| | | | |
|--|--|--|-----------|
| (n) Crippled Children Services Program | | | 7,066,190 |
|--|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|-----------------|-----------|--|--|
| (1) ASETF | 4,303,690 | | |
|-----------------|-----------|--|--|

| | | | |
|-----------------------------------|-----------|--|--|
| (2) Federal and Local Funds | 2,762,500 | | |
|-----------------------------------|-----------|--|--|

| | | | |
|--|-----------|-----------|-----------|
| Total Crippled Children Services Program | 4,303,690 | 2,762,500 | 7,066,190 |
|--|-----------|-----------|-----------|

\$324,000 of the ASETF appropriation to be used for educational services for children with cerebral palsy through the various cerebral palsy day care and treatment centers.

| | | | |
|---|--|--|-----------|
| (o) Manpower Development and Employment | | | 5,894,844 |
|---|--|--|-----------|

The proposed spending plan for the above is as follows:

| | | | |
|---|--------|--|--|
| Operation & Maintenance of Department | 17,958 | | |
|---|--------|--|--|

| | | | |
|---|---------|--|--|
| Comprehensive Employment & Training | 484,000 | | |
|---|---------|--|--|

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 501,958 | | |
|-----------------|---------|--|--|

| | | | |
|-----------------------------------|-----------|--|--|
| (2) Federal and Local Funds | 5,392,886 | | |
|-----------------------------------|-----------|--|--|

| | | | |
|---|---------|-----------|-----------|
| Total Manpower Development and Employment Opportunities Program | 501,958 | 5,392,886 | 5,894,844 |
|---|---------|-----------|-----------|

| | | | |
|--|--|--|---------|
| (p) Planning and Coordination Services Program | | | 181,826 |
|--|--|--|---------|

The proposed spending plan for the
above is as follows:

Southern Regional Educational
Board 181,826

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 181,826 | |
| Total Planning & Coordination Ser- vices Program | 181,826 | 181,826 |
| (q) Support of State Universities Program | | 10,000 |

The proposed spending plan for the
above is as follows:

Education of Dependents of Blind
Parents 10,000

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 10,000 | |
| Total Support of State Universities Program | 10,000 | 10,000 |

For reimbursement of every State
Institution of Higher Learning,
College, University, or Trade
School or Junior College, in
which benefits are given to de-
pendents of blind parents under
the provisions of Act No. 281,
1966 Special Session.

| | |
|---|-----------|
| (r) Emergency Medical Services Education Program | 1,500,000 |
|---|-----------|

To be distributed by the Depart-
ment of Education as follows:

| | |
|--|---------|
| (1) West Alabama Emergency Med- ical Services, Inc. | 307,000 |
| (2) Birmingham Regional Emer- gency Medical Services System .. | 292,000 |
| (3) North Alabama Emergency Medical Services, Inc. | 277,000 |
| (4) Southeast Alabama Emergency Medical Services Systems, Inc. | 277,000 |
| (5) East Alabama Emergency Med- ical Services, Inc. | 227,000 |
| (6) Southwest Alabama Emergency Medical Services Council, Inc. | 120,000 |

The amounts herein appropriated
shall be used for the operation

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and maintenance of the various medical services programs named and for the purchase of instructional supplies and new instructional equipment for such programs.

SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,500,000 | |
| Total Emergency Medical Service Education Program | 1,500,000 | 1,500,000 |
| TOTAL DEPARTMENT OF EDUCATION | | |

SOURCE OF FUNDS:

| | | | |
|---|------------|-------------|-------------|
| (1) ASETF | 84,135,374 | | |
| (2) Federal and Local Funds | | 235,409,240 | |
| Grand Total Department of Education | 84,135,374 | 235,409,240 | 319,544,614 |

5. Examiners of Public Accounts

| | |
|--|-----------|
| (a) Legislative Support-Audit Services Program | 1,000,000 |
|--|-----------|

For purposes of auditing all phases of public education.

SOURCE OF FUNDS:

| | | |
|--|-----------|-----------|
| (1) ASETF | 1,000,000 | |
| Total Examiners of Public Accounts | 1,000,000 | 1,000,000 |

6. Alabama Film Commission

| | |
|---|--------|
| (a) Promotional Development Program | 70,000 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 70,000 | |
| Total Alabama Film Commission .. | 70,000 | 70,000 |

7. Alabama School of Fine Arts

| | |
|-----------------------------|---------|
| (a) Fine Arts Program | 891,855 |
|-----------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|--------|
| (1) ASETF | 800,000 | |
| (2) Federal and Local Funds | | 91,855 |

| | | | |
|---|---------|--------|---------|
| Total Alabama School of Fine Arts | 800,000 | 91,855 | 891,855 |
|---|---------|--------|---------|

8. Alabama Firefighters' Personnel Standards and Education Commission

| | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing & Regulation Program | | | 150,000 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 150,000 | | |
|-----------------|---------|--|--|

| | | | |
|--|---------|--|---------|
| Total Alabama Firefighters' Personnel Standards and Education Commission | 150,000 | | 150,000 |
|--|---------|--|---------|

9. Health Department

| | | | |
|---|--|--|---------|
| (a) Health Support Services Program | | | 500,000 |
|---|--|--|---------|

For immunization of pre-school children and students and for public school food sanitation.

| | | | |
|---|--|--|---------|
| (b) For the Division of Maternal and Child Health | | | 200,000 |
|---|--|--|---------|

Provided, however, that the above appropriation shall be expended only for the development of a perinatal program whose expenditure guidelines shall be developed in conjunction with the Perinatal Advisory Committee of the State Committee of Public Health. Such guidelines shall be comprehensive enough to serve as a statewide perinatal plan in meeting Federal matching requirements.

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 700,000 | | |
|-----------------|---------|--|--|

| | | | |
|-------------------------------|---------|--|---------|
| Total Health Department | 700,000 | | 700,000 |
|-------------------------------|---------|--|---------|

10. Commission on Higher Education

| | | | |
|--|--|--|---------|
| (a) Planning & Coordination Services Program | | | 462,430 |
|--|--|--|---------|

| | | | |
|---|--|--|-----------|
| (b) Support of Other Educational Activities Program | | | 2,538,800 |
|---|--|--|-----------|

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SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,725,400 | | |
| (2) Federal and Local Funds | | 1,275,830 | |
| Total Commission on Higher Education | 1,725,400 | 1,275,830 | 3,001,230 |

No salary of any employee of the Commission shall exceed the salary paid to the State Superintendent of Education.

To be expended in accordance with Act No. 14, 1969 Special Session.

11. Alabama Board of Nursing:

| | | | |
|--|--|--|---------|
| (a) Professional and Occupational Licensing and Regulation Program | | | 542,891 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|--------|---------|---------|
| (1) ASETF as provided in Act No. 68, 1977 Special Session. Scholarships for Graduate Nurses | 57,000 | | |
| (2) Alabama Board of Nursing Trust Fund as provided in Title 34, Chapter 21, Code of Alabama 1975, as amended | | 485,891 | |
| Total Alabama Board of Nursing .. | 57,000 | 485,891 | 542,891 |

12. Alabama Historical Commission

| | | | |
|--|--|--|---------|
| (a) Historical Resource Management and Archaeological Research | | | 150,000 |
|--|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 150,000 | | |
| Total Alabama Historical Commission | 150,000 | | 150,000 |

13. Alabama Industrial Development Training Institute

| | | | |
|------------------------------------|--|--|-----------|
| (a) Industrial Training Program .. | | | 1,885,752 |
|------------------------------------|--|--|-----------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|--|-----------|
| (1) ASETF | 1,885,752 | | |
| Total Alabama Industrial Development Training Inst. | 1,885,752 | | 1,885,752 |

14. Junior College School System

(a) Academic Instruction and Institutional Support Program

67,848,063

SOURCE OF FUNDS:

(1) ASETF 39,550,000

(2) Federal and Local Funds 9,050,476

(3) State Funds 245,787

(4) Other Funds 19,001,800

Total Junior College School System

39,550,000

28,298,063

67,848,063

For operation and maintenance of the Junior Colleges listed below to be distributed on formula adopted by the State Board of Education. \$200,000.00 to each junior college listed below. The remainder of the appropriation is to be allotted to each such junior college in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1977-78 by all such junior colleges. Continuing education unit hours shall be excluded from the computations herein required. (The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City State Junior College; (2) S. D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George Corley Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville.) Of the above appropriations contained herein in Section 3, paragraph A-14 not more than the sum of \$300,000 may be used by the State Board of Education for administration of the state junior college program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

15. Alabama Law Institute

(a) Support of Other Educational Activities Program

199,000

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SOURCE OF FUNDS:

| | | |
|-----------------------------------|----------------|----------------|
| (1) ASETF | 199,000 | |
| Total Alabama Law Institute | <u>199,000</u> | <u>199,000</u> |

16. Legislature

| | | |
|--|--|-----------|
| (a) Legislative Operations & Support Program | | 1,000,000 |
|--|--|-----------|

SOURCE OF FUNDS:

| | | |
|-------------------------|------------------|------------------|
| (1) ASETF | 1,000,000 | |
| Total Legislature | <u>1,000,000</u> | <u>1,000,000</u> |

17. Public Library Service

| | | |
|---|--|-----------|
| (a) Public Library Services Program | | 3,782,066 |
|---|--|-----------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|------------------|------------------|
| (1) ASETF | 2,750,000 | |
| (2) Federal & Local Funds | | <u>1,032,066</u> |
| Total Public Library Service | <u>2,750,000</u> | <u>1,032,066</u> |
| | | <u>3,782,066</u> |

18. Marine Environmental Sciences Consortium

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 778,750 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | 568,750 | |
| (2) Federal and Local Funds | | 60,000 |
| (3) University of Alabama | | <u>150,000</u> |
| Total Marine Environmental Sciences Consortium | <u>568,750</u> | <u>210,000</u> |
| | | <u>778,750</u> |

19. Medical Scholarships Board

| | | |
|---|--|---------|
| (a) Support of other Educational Activities Program | | 555,000 |
|---|--|---------|

SOURCE OF FUNDS:

| | | |
|---------------------------------------|----------------|----------------|
| (1) ASETF | 555,000 | |
| Total Medical Scholarship Board | <u>555,000</u> | <u>555,000</u> |

(To be expended under the provisions of Act No. 663, 1977 Regular Session.)

20. Minimum Program

(a) Financial Assistance Program .. 581,236,819

SOURCE OF FUNDS:

| | | |
|----------------------------------|-------------|-------------|
| (1) ASETF | 556,560,334 | |
| (2) Public School Fund | | 20,000,000 |
| (3) Local Effort | | 4,676,485 |
| Total Minimum Program Fund | 556,560,334 | 24,676,485 |
| | | 581,236,819 |

(aa) To be distributed by the State

Board of Education for:

| | |
|--|-------------|
| Local Boards | 484,910,244 |
| Board of Adjustment Awards | 150,000 |
| Teachers Sick Leave | 3,890,178 |
| Teachers Personal Leave | 1,296,726 |
| Hospital-Medical Insurance Assistance | 9,427,961 |
| Funds to Replace Fees | 10,488,225 |
| Maintenance | 6,000,000 |
| Sick Leave for Support Personnel .. | 800,000 |
| Additional for Special Education | 25,550,000 |
| Salary Increases for Lunchroom Workers | 7,747,000 |
| Insurance for Support Staff | 6,300,000 |

The Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such funds, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State. Provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgement of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all monies earmarked for public school teachers' salaries as provided in the Income Tax amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

(bb) Of the total teacher units provided for exceptional children, twenty-five (25) may be used in early education programs for exceptional children and twenty-five (25) may be used in regional multi-

systems, and/or state-wide programs for exceptional children. In addition to the regular units allocated in the Minimum Program, the same number of teacher units as provided for the school year 1977-78, six hundred fifty (650) are provided for the reduction of the class size in grades 1-6. The Alabama Education Study Commission and the State Department of Education shall have the authority to insure that the intent of the Legislature is implemented.

All special education units other than the early childhood and multi-systems units, and units to reduce the number of pupils in grades 1-6 shall be allocated to local school systems on the basis of enrollment. Units earned by a system on this basis which are not used by such system may not be reallocated to other systems except those units necessary to guarantee school systems not less than the number of units allocated to them during the 1977-78 school year. In addition to the three thousand two hundred fifty (3,250) special units now provided through the minimum program, there is hereby provided the sum of 25 million, five hundred and fifty thousand dollars (\$25,550,000) to be used in the area of special education. The funds to provide for this program are included under the programmatic appropriations of Section 20 (aa) Minimum Program and the wording in this section (bb) is for explanation purposes only and is not intended to be construed to be a second funding. Of the \$25,550,000 for Special Education, \$1,422,846 shall be allocated to local boards of education and administered through the Division of Vocational Education for meeting matching requirements of Federal Legislation (P. L. 94-482) for vocational education for the handicapped. An amount approved by the State Board of Education and State Superintendent of Education may be distributed by the State Board of Education to the Alabama Institute for Deaf and Blind to implement the purposes of Act 106 and P.L. 94-142. The remaining funds of this category shall be allocated by the State Board of Education on a formula developed by the State Superintendent of Education and his staff. Each local board of education shall submit a proposal to the State Superintendent of Education for the use of funds allocated to its system which must be approved by the State Superintendent of Education before such funds are disbursed. The proposals may include, but are not limited to, any or all of the following: (1) Additional teachers, (2) Teacher Aides, (3) Materials, supplies and instructional equipment, (4) Modifications and renovations of buildings (including eliminations of architectural barriers).

Job descriptions and qualifications of teacher aides shall be determined by the State Superintendent of Education. Also, none of the teacher unit positions may be filled by teachers not certified as qualified Special Education teachers.

The State Superintendent, through his staff, shall monitor programs to assure that the purposes for which these funds are provided are carried out on the approval plan.

In addition to the above appropriation to exceptional children there is hereby appropriated \$5,000,000 which is conditional upon the condition of the Alabama Special Educational Trust Fund and upon approval of the Governor.

Three hundred eighty (380) additional kindergarten units are herewith provided for the phasing in of the kindergarten program during the specified fiscal year and shall be dispersed with the kindergarten teacher units being at least equal to the amount received by the respective local school boards during the preceding fiscal year. In addition thereto, all local school boards shall receive all kindergarten teacher units

now supplied by federal funds if these programs continue to be federally funded.

(cc) Two hundred and fifty dollars (\$250) per teacher unit for grades K-6 and three hundred dollars (\$300) per teacher unit for grades 7-12 is herein above appropriated to the State Board of Education for all teachers employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) and shall be allocated to each county and city board of education for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. From the funds provided herein above, each local county and city board of education shall allocate to the schools in their respective systems an amount based on \$250 or \$300 for each teacher unit assigned to each school. With each faculty member being given an opportunity for input, the faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, by majority vote, approve a budget for the school. At least one-half of this amount shall be available for each teacher for materials and supplies for that teacher's students; provided, however, any teacher may sign a waiver releasing said funds for joint purchases within the school. No board of education shall withhold from any school any funds to which they are entitled under the provisions of this Act. Based on this budget, the faculty shall recommend to the superintendent the recommended amount to be allotted to each teacher to be spent for agreed upon items and other amounts to be used for the common good of all for the operation of the instructional program within the school. The local school board shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. It is the intent of the legislature that no fees shall be collected in the future in courses required for graduation. In courses not required for graduation, local schools boards may set reasonable fees for courses requiring laboratory and shop materials and equipment; provided, however, such fees shall be waived for students who cannot afford to pay the fees. Any funds collected in fees shall be spent on the course for which the fee was levied. This section shall not be construed to prohibit community groups or clubs from fund raising activities; provided, however, that students shall not be required to participate in such fund raising activities. Any funds provided herein not expended during the fiscal year shall revert to the Alabama Special Educational Trust Fund.

(dd) It is provided that in addition to all units earned by the local school system under the Minimum program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation on regular units. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program Fund calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce the amount of money expended from local funds for teachers during the school year 1977-78 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios or that where there has been a decrease in school population to justify such reduction. The local school system shall furnish the State Department of Education and the Education Study Commission such information as may be necessary to determine that the provisions of this section have been implemented. These agencies shall jointly report to the State Board of Education the implementation of the above provisions by December 31, 1978 and to the Legislature by the first legislative day of the next regular session.

(ee) The appropriation hereinabove made to the Minimum Program Fund provides for two (2) days personal leave at \$17.00 per teacher unit for each teacher employed (except ESEA Title I, Title III and Title IV teachers and ESAA teachers) to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave for the fiscal year ending September 30, 1979.

(ff) Of the appropriation hereinabove made to the Minimum Program, there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per teacher, administrative, or supervisory unit as located under the Minimum Program, Vocational Education Program and any other units paid from State or local funds to provide hospital-medical insurance assistance. No portion of the funds herein appropriated for employee hospital-medical insurance may be used to pay premiums for any group insurance policy that is available only to members of any private organization.

Provided, further, that any professional employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified professional employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The funds hereinabove shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan (s) and the carrier (s) of the hospital-medical insurance in that system. Any funds not used in the fiscal year shall revert to the Alabama Special Educational Trust Fund.

In no event shall a professional staff member be eligible for more than one hospital-medical insurance assistance allotment.

(gg) Of the appropriation hereinabove made to the Minimum Program there is hereby appropriated the sum of two hundred forty-seven dollars and twenty cents (\$247.20) per annum per full-time support person (defined in sub-section ii) employed by any local board of education or by any school under the local board's jurisdiction to provide hospital-medical insurance assistance, provided however that only adult school bus drivers are included and coverage is not included for student school bus drivers.

Provided, further, that any employee eligible for hospital-medical assistance who may be subject to coordination of benefits because of their coverage for hospital-medical assistance by carrier other than those selected under this Act, be protected from such coordination of benefits to the extent provided by regulation No. 56 of Alabama Department of Insurance. It being the intent of this appropriation to provide hospital-medical insurance assistance to those qualified employees in the amount set forth in this appropriation and such insurance coverage not to be subject to coordination of benefits.

The support personnel shall participate in the same carrier and plan selection process as the teachers within the school system; except that in no instance shall a local school board be required to approve a separate carrier and plan for support employees in addition to the carrier and plan selected by majority vote of all employees of that school board. Any funds not used in the fiscal year shall revert to the Alabama Special Education Trust Fund.

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In no event shall a support staff member be eligible for more than one hospital-medical insurance assistance allotment.

(hh) In allocating the funds in sub-section (a) the State Board of Education shall allot as follows:

The amount necessary for the payment of Board of Adjustment awards in accordance with the Minimum Program statutes and regulations.

For "Other Current Expenses" a sum not to exceed \$2,204.75 for each earned teacher unit.

For Principal Supplement the sum shall not exceed \$100.00 for each earned teacher unit.

For Capital Improvements the sum shall not exceed \$64.87 for each earned teacher unit.

Sick leave days shall be paid at the rate of not more than \$17.00 per day. The salary allotment shall be made in accordance with the schedule set out hereinabove.

The above appropriation contained in sub-section (a) Local Boards shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$38,066,490.00.

The appropriation hereinabove set out for the fiscal year 1978-79 is based on 31,736 teacher units.

It is provided in the event there are more than 31,736 earned teacher units for the fiscal year 1978-79, then such amounts as are necessary to pay for these excess teacher units is hereby appropriated.

It is further provided, in the event that there be less earned teacher units than those set out above, then the amount that would have been necessary to pay for these earned teacher units shall be allotted by the State Board of Education on a formula developed by the State Superintendent of Education and his staff for teacher units to continue the phasing-in of the State kindergarten program. The appropriations hereinabove made for maintenance is to be allocated for repairs and renovation of the various school systems based on an earned teacher unit basis.

(ii) It is provided that from the appropriation hereinabove made the State Board of Education shall provide beginning with the fiscal year ending September 30, 1979, that in addition to all salary now received and all local increments due, all teachers under the Minimum Program shall receive salary increases as follows:

Teachers holding Rank "AA" certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV teachers not less than nine hundred dollars (\$900) per annum. These increases are for teachers with one hundred eighty-day contracts. Additional pro rata salary increases shall be granted for teachers whose contracts extend beyond one hundred eighty days. All teachers employed from funds other than the Minimum Program shall receive equal compensation based upon the rank of certificates. Any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program.

In addition to all salary now received and all local increments due for the 1978-79 school year, all full-time employees of city and county boards of education and all full-time employees in the school under their jurisdiction with the exception of those persons listed on the official Teachers' Institute List shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment.

Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on the number of hours worked per day. All adult school bus drivers shall receive a salary increase of not less than five hundred dollars (\$500) per annum and all student school bus drivers shall receive a salary increase of not less than three hundred dollars (\$300) per annum and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

Each local board of education shall have the following options as to how the salary increases shall be distributed:

- 1) Across the currently used pay periods for the school year or
- 2) Across the summer months payable in equal installments.

(jj) The \$800,000 appropriated in Section 20 (aa) is to provide sick leave for support personnel in accordance with Act No. 208, 1977 Regular Session of the Alabama Legislature.

21. Alabama Occupational Information System

| | |
|---|---------|
| (a) Employment and Social Opportunities Program | 590,051 |
|---|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|---------|---------|
| (1) ASETF | 200,000 | | |
| (2) Federal and Local Funds | | 390,051 | |
| | | | |
| Total Alabama Occupational Information System | 200,000 | 390,051 | 590,051 |

22. Alabama Peace Officers Standards and Training Commission

| | |
|--|--------|
| (a) Professional and Occupational Licensing and Regulation Program | 80,000 |
|--|--------|

| | |
|--|---------|
| (b) Certified Law Enforcement Academy Programs | 246,200 |
|--|---------|

| | |
|-------------------------------------|--------|
| Jacksonville State University | 61,550 |
|-------------------------------------|--------|

| | |
|-----------------------------|--------|
| University of Alabama | 61,550 |
|-----------------------------|--------|

| | |
|-------------------------------|--------|
| James H. Faulkner Jr. Col. .. | 61,550 |
|-------------------------------|--------|

| | |
|-----------------------------------|--------|
| Troy State Univ. Montgomery | 61,550 |
|-----------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 326,200 | |
| Total Alabama Peace Officers Standards and Training Commission .. | 326,200 | 326,200 |

23. Commission on Physical Fitness

| | | |
|-------------------------------------|--|--------|
| (a) Advisory Services Program | | 83,000 |
|-------------------------------------|--|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 83,000 | |
| Total Commission on Physical Fitness | 83,000 | 83,000 |

24. Post-Secondary Vocational-Technical Education System

| | | |
|---|--|------------|
| (a) Instructional and Institutional Support Program | | 45,972,443 |
|---|--|------------|

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 32,451,521 | | |
| (2) Federal and Local Funds | | 815,457 | |
| (3) Other Funds | | 12,705,465 | |
| Total Post-Secondary Vocational-Technical Education System | 32,451,521 | 13,520,922 | 45,972,443 |

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education.

(The above appropriation is to be distributed to the following Vocational-Technical Schools: (1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical Institute School; (8) J. F. Drake State Technical School; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical School; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas MacArthur State Technical College; (14) Muscle Shoals Technical Institute; (15) Northwest Alabama State Technical College; (16) N. F. Nunnellely State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncey Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker County State Technical College; (26) George Corley Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

Of the above appropriations contained herein in Section 3 (a) (24)

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not more than the sum of \$300,000 may be used by the State Board of Education for administration of the Vocational-Technical School Program.

Of the amount herein appropriated above for the fiscal year ending September 30, 1979, the following salary increases, in addition to salary now received, shall be granted all full-time personnel in accordance with the schedule adopted by the State Board of Education on June 14, 1978.

Of the amount herein appropriated above for this fiscal year ending September 30, 1979, salary increases, in addition to salary now received, shall be granted to all full-time professional staff using the same base percentage increase and step increases as used in developing salary increases for instructors, counselors, and librarians.

25. Social Security

| | |
|---|------------|
| (a) For State's share of Social Security, Estimated | 47,249,440 |
|---|------------|

SOURCE OF FUNDS:

| | | |
|-----------------------------|------------|------------|
| (1) ASETF | 47,249,440 | |
| Total Social Security | 47,249,440 | 47,249,440 |

26. Sports Hall of Fame

| | |
|---|--------|
| (a) Historical Resources Management Program | 51,894 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|--|--------|--------|
| (1) ASETF | 30,000 | |
| (2) Sports Hall of Fame Operating Fund | | 21,894 |
| Total Sports Hall of Fame | 30,000 | 21,894 |
| | | 51,894 |

27. Alabama Education Study Commission

| | |
|-------------------------------------|---------|
| (a) Advisory Services Program | 210,000 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 210,000 | |
| Total Alabama Education Study Commission | 210,000 | 210,000 |

(To be used for educational studies in accordance with Act No. 15, 1969 Special Session.)

28. Teachers' Retirement System of Alabama

| | |
|---|-------------|
| (a) Retirement Systems Program, Estimated | 142,396,640 |
|---|-------------|

SOURCE OF FUNDS:

| | | |
|--|--------------------|--------------------|
| (1) ASETF-Teachers' Retirement System | 140,297,462 | |
| (2) ASETF-Teachers' Special Pension Fund | 2,099,178 | |
| Total Retirement Systems Program (State's Share) | <u>142,396,640</u> | <u>142,396,640</u> |

The above appropriation shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund. Provided that any increase in the above appropriations shall be made only after a thorough review and recommendation in writing by the Board of Control of the Retirement System, the Retirement Actuary, and the Budget Officer, and certified by them to the Governor.

29. State Tenure Commission

| | |
|------------------------------|--------|
| (a) Regulation Program | 10,000 |
|------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|---------------|---------------|
| (1) ASETF | <u>10,000</u> | |
| Total State Tenure Commission | <u>10,000</u> | <u>10,000</u> |

30. Educational TV Commission

| | |
|---|-----------|
| (a) Educational TV Services Program | 2,885,500 |
| (b) Public Radio Service Program | 195,000 |

SOURCE OF FUNDS:

| | | |
|---------------------------------------|------------------|------------------|
| (1) ASETF | 2,205,500 | |
| (2) Federal and Local Funds | 875,000 | |
| Total Educational TV Commission | <u>2,205,500</u> | <u>875,000</u> |
| | | <u>3,080,500</u> |

31. Veterans Education Benefits

| | |
|--|-----------|
| (a) Administration of Veterans Affairs Program | 1,350,000 |
|--|-----------|

SOURCE OF FUNDS:

| | |
|-----------------|------------------|
| (1) ASETF | <u>1,350,000</u> |
|-----------------|------------------|

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| | | |
|--------------------------------------|-----------|-----------|
| Total Veterans Education Benefits .. | 1,350,000 | 1,350,000 |
| | <hr/> | <hr/> |

The above appropriation includes pro-rata administration costs of the Department of Veteran Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, or Junior College, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session.

32. John M. Will Journalism Scholarship Fund

| | |
|---|-------|
| (a) Support of other Educational Activities Program | 1,000 |
|---|-------|

SOURCE OF FUNDS:

| | |
|-----------------|-------|
| (1) ASETF | 1,000 |
| | <hr/> |

| | | |
|--|-------|-------|
| Total John M. Will Journalism Scholarship Fund | 1,000 | 1,000 |
| | <hr/> | <hr/> |

33. Youth Services

| | |
|----------------------------------|-----------|
| (a) Youth Services Program | 8,906,171 |
|----------------------------------|-----------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 7,221,171 |
|-----------------|-----------|

| | |
|-----------------------------------|-----------|
| (2) Federal and Local Funds | 1,685,000 |
|-----------------------------------|-----------|

| | | | |
|----------------------------|-----------|-----------|-----------|
| Total Youth Services | 7,221,171 | 1,685,000 | 8,906,171 |
| | <hr/> | <hr/> | <hr/> |

(To be expended in accordance with Act No. 816, 1973 Regular Session.)

(Of the above appropriation, Fifteen Thousand Dollars (\$15,000) shall be spent for the construction of a chapel on the campus at Mount Meigs.)

SECTION 4.

B. NON-STATE EDUCATIONAL AGENCIES:

| | |
|---|--------|
| 1. American Legion Auxiliary Scholarship Fund | 10,000 |
|---|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 10,000 |
| | <hr/> |

| | | |
|--|--------|--------|
| Total American Legion Auxiliary Scholarship Fund | 10,000 | 10,000 |
| | <hr/> | <hr/> |

(To be expended under the provisions of Act No. 676, 1978 Regular Session.)

2. Birmingham Training Center for Brain Injured Children

| | |
|--|--------|
| (a) Non-Institutional Treatment and Care Program | 30,000 |
|--|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 30,000 |
|-----------------|--------|

| | | |
|---|--------|--------|
| Total Birmingham Training Center for Brain Injured Children | 30,000 | 30,000 |
|---|--------|--------|

3. East Alabama Regional Child Development Program

| | |
|-------------------------------------|---------|
| (a) Financial Assistance Program .. | 580,373 |
|-------------------------------------|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 525,000 |
|-----------------|---------|

| | |
|-----------------------------------|--------|
| (2) Federal and Local Funds | 55,373 |
|-----------------------------------|--------|

| | | | |
|---|---------|--------|---------|
| Total East Alabama Regional Child Development Program | 525,000 | 55,373 | 580,373 |
|---|---------|--------|---------|

Of the above appropriation the counties of Limestone, Jackson, Madison and Marshall shall receive \$25,000 each.

4. Environmental Quality Association

| | |
|---|---------|
| (a) Environmental Education Program | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 175,000 |
|-----------------|---------|

| | | |
|---|---------|---------|
| Total Environmental Quality Association | 175,000 | 175,000 |
|---|---------|---------|

5. Montgomery Institute for Neurological Development

| | |
|--|--------|
| (a) Non - Institutional Treatment and Care Program | 25,000 |
|--|--------|

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 25,000 |
|-----------------|--------|

| | | |
|--|--------|--------|
| Total Montgomery Institute of Neurological Development | 25,000 | 25,000 |
|--|--------|--------|

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6. Opportunities Industrialization Centers

| | |
|---|---------|
| (a) Manpower Development and Employment Opportunities Program | 175,000 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 175,000 | |
| Total Opportunities Industrialization Centers | 175,000 | 175,000 |

7. Sylacauga Nurses Training School

| | |
|---|---------|
| (a) Support of Other Educational Activities Program | 348,984 |
|---|---------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 58,000 | |
| (2) Federal and Local Funds | 17,500 | |
| (3) Other Funds | 273,484 | |
| Total Sylacauga Nurses Training School | 58,000 | 290,984 |
| | | 348,984 |

(The above includes \$18,000 for Nursing Scholarships.)

(To be expended in accordance with Act No. 2393, 1971 Regular Session.)

8. Hall of Fame Bowl Game:

| | |
|--|--------|
| (a) Tourism and Travel Promotion | 50,000 |
|--|--------|

SOURCE OF FUNDS:

| | | |
|------------------------------------|--------|--------|
| (1) ASETF | 50,000 | |
| Total Hall of Fame Bowl Game | 50,000 | 50,000 |

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

Of the funds appropriated in Section 5 herein for colleges, universities and schools listed below, no institution shall be eligible to receive appropriations provided herein unless such institution provides its employees, upon their request, payroll deduction of dues from at least seven (7) different pay periods for the local affiliate of any general incorporated statewide educator's organization or labor organization. Deduction of dues shall be made only upon written request of the employee and shall not be construed to grant any organization any bargaining rights upon behalf of the institution's employees. Deduction of dues shall not be required for any organization which serves only persons employed in a particular subject matter area or that is not

affiliated with a public statewide employee organization which complies with Alabama statutes.

Section 5.

COLLEGES, UNIVERSITIES AND SCHOOLS

I. Board of Trustees of University of Alabama

A. The University

1. Operations & Maintenance, Extension, Public Service & Research:

| | |
|---|------------|
| (a) Instruction | 22,587,787 |
| (b) Transfers | 833,373 |
| (c) Libraries | 1,405,171 |
| (d) Academic Support (excl. Lib.) | 4,511,867 |
| (e) Student Services | 1,558,251 |
| (f) Institutional Support | 6,550,441 |
| (g) Operation & Maintenance of Physical Plant | 5,646,479 |
| (h) Scholarships and Fellowships .. | 648,766 |
| (i) Capital Outlay | 1,095,259 |
| (j) Debt Service | 292,240 |

SOURCE OF FUNDS:

| | | | |
|--|------------|------------|------------|
| (1) ASETF | 31,723,728 | | |
| (2) Other Sources | | 13,405,906 | |
| Total Operations & Maintenance, Extension, Public Service and Research | 31,723,728 | 13,405,906 | 56,129,634 |

2. Extension, Public Service & Research:

| | |
|--------------------------|-----------|
| (a) Research | 133,829 |
| (b) Public Service | 2,665,090 |
| (c) Capital Outlay | 20,720 |
| (d) Debt Service | 57,364 |
| (e) Transfers | 16,594 |

SOURCE OF FUNDS:

| | | |
|-------------------------|-----------|-----------|
| (1) ASETF | 1,850,000 | |
| (2) Other Sources | | 1,043,597 |

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| | | | |
|--|-----------|-----------|-----------|
| Total Extension, Public Service, and Research | 1,850,000 | 1,043,597 | 2,893,597 |
| <hr/> | | | |
| 3. Emergency Medical Services Paramedic Training: | | | |
| (For operation and maintenance) | | | |
| (a) Public Service | | | 125,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,000 | | |
| Total Emergency Medical Services | 125,000 | | 125,000 |
| <hr/> | | | |
| 4. Center for Emotionally Dis- turbed Children: | | | |
| (a) Academic Support (excl. Libr.) | | | 472,462 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 472,462 | | |
| Total Center for Emotionally Dis- turbed Children | 472,462 | | 472,462 |
| <hr/> | | | |
| 5. Nursing Scholarships: | | | |
| (a) Scholarships and Fellowships .. | | | 18,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |
| <hr/> | | | |
| 6. School of Mines: | | | |
| (a) Research | | | 859,000 |
| (b) Public Service | | | 200,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 1,059,000 | | |
| Total School of Mines | 1,059,000 | | 1,059,000 |
| <hr/> | | | |
| 7. Family Practice Center: | | | |
| (a) Instruction | | | 312,285 |
| (b) Academic Support (excl. Libr.) | | | 429,360 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 741,645 | | |
| Total Family Practice Center | 741,645 | | 741,645 |
| <hr/> | | | |

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8. Alabama Museum of Natural
History-Mound State Park and
Archaeological Service:

| | |
|--------------------------|---------|
| (a) Public Service | 182,195 |
| (b) Capital Outlay | 6,705 |

SOURCE OF FUNDS:

| | | | |
|---|---------|--------|---------|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 38,900 | |
| Total Alabama Museum of Natural History-Mound State Park and Archaeological | 150,000 | 38,900 | 188,900 |

9. College of Community Health
Sciences:

| | |
|--|-----------|
| (a) Instruction | 1,515,047 |
| (b) Libraries | 135,377 |
| (c) Academic Support (excl. Lib.) | 409,836 |
| (d) Operation & Maintenance of Physical Plant | 169,412 |
| (e) Capital Outlay | 30,314 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|---------|-----------|
| (1) ASETF | 2,154,986 | | |
| (2) Other Sources | | 105,000 | |
| Total College of Community Health Sciences | 2,154,986 | 105,000 | 2,259,986 |

10. Auxiliary Enterprises:

| | |
|--------------------------------------|------------|
| (a) Scholarships & Fellowships | 421,679 |
| (b) Capital Outlay | 37,652 |
| (c) Auxiliary Service | 10,517,791 |
| (d) Debt Service | 1,457,481 |
| (e) Transfer to Plant Funds | 526,900 |

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|------------|------------|--|
| (1) Other Sources | 12,961,503 | | |
| Total Auxiliary Enterprises | 12,961,503 | 12,961,503 | |

11. Restricted Funds:

| | |
|-----------------------|-----------|
| (a) Instruction | 6,310,584 |
| (b) Research | 1,120,746 |

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| | |
|--|---------|
| (c) Public Service | 934,713 |
| (d) Academic Support (excl. Libr.) | 79,116 |
| (e) Student Services | 102,883 |
| (f) Institutional Support | 308,817 |
| (g) Operation & Maintenance of Physical Plant | 138,348 |
| (h) Scholarships and Fellowships .. | 795,308 |
| (i) Capital Outlay | 347,637 |

SOURCE OF FUNDS:

| | | |
|------------------------------|-------------------|-------------------|
| (1) State Funds | 3,185,481 | |
| (2) Federal Funds | 5,692,671 | |
| (3) Other Sources | 1,260,000 | |
| Total Restricted Funds | <u>10,138,152</u> | <u>10,138,152</u> |

12. Gadsden Cooperative Upper Division Program:

| | |
|--------------------------|---------|
| (a) Instruction | 267,168 |
| (b) Capital Outlay | 15,992 |

SOURCE OF FUNDS:

| | | |
|---|----------------|------------------------------|
| (1) ASETF | 193,189 | |
| (2) Other Sources | <u>89,971</u> | |
| Total Gadsden Cooperative Upper Division Program | <u>193,189</u> | <u>89,971</u> <u>283,160</u> |

13. Rural Infant Development Environment Program

125,000

SOURCE OF FUNDS:

| | | |
|---|----------------|----------------|
| (1) ASETF | <u>125,000</u> | |
| Total Rural Infant Development Environment Program | <u>125,000</u> | <u>125,000</u> |

14. Vocational Teacher Training Program

340,057

SOURCE OF FUNDS:

| | | |
|--|----------------|----------------|
| (1) ASETF | <u>340,057</u> | |
| Total Vocational Teacher Training Program | <u>340,057</u> | <u>340,057</u> |

| | | | |
|--|------------|------------|------------|
| TOTAL UNIVERSITY OF ALA- BAMA | 38,953,067 | 37,783,029 | 76,736,096 |
|--|------------|------------|------------|

B. University of Alabama in Bir-
mingham

1. School of Medicine:

| | | | |
|--|--|--|------------|
| (a) Instruction | | | 14,013,030 |
| (b) Research | | | 17,975,212 |
| (c) Public Service | | | 5,638,999 |
| (d) Libraries | | | 264,132 |
| (e) Academic Support (excl. Libr.) | | | 1,361,489 |
| (f) Student Services | | | 401,368 |
| (g) Institutional Support | | | 2,924,249 |
| (h) Operation & Maintenance of Physical Plant | | | 3,596,996 |
| (i) Scholarships and Fellowships .. | | | 115,000 |
| (j) Capital Outlay | | | 900,000 |
| (k) Equipment-Other than Auto- motive (For Cavitron Laser Ma- chine) | | | 70,000 |
| (l) Training on Special Cancer De- tection for Rehabilitating for Speech & Hearing Disorders | | | 45,000 |
| (m) Debt Service | | | 724,221 |
| (n) Hyperthermia Program | | | 109,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|------------|------------|
| (1) ASETF | 16,199,000 | | |
| (2) State Funds | | 1,550,000 | |
| (3) Federal Funds | | 22,400,000 | |
| (4) Local Funds | | 550,000 | |
| (5) Other Sources | | 7,439,696 | |
| Total School of Medicine | 16,199,000 | 31,939,696 | 48,138,696 |

2. Family and Other Primary Care
Residency Programs:

| | | | |
|--|--|--|-----------|
| (a) Instruction | | | 1,723,390 |
| (b) Institutional Support | | | 18,590 |
| (c) Operation & Maintenance of Physical Plant | | | 20,020 |

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SOURCE OF FUNDS:

| | | |
|---|-----------|-----------|
| (1) ASETF | 1,762,000 | |
| Total Family and Other Primary Care Residency Programs | 1,762,000 | 1,762,000 |

The above appropriation shall be
expended for residency programs
as follows:

| | |
|-----------------------------|---------|
| Anniston | 230,000 |
| East End | 230,000 |
| Jefferson County | 230,000 |
| Montgomery | 230,000 |
| Montg.-Internal Medicine .. | 220,000 |
| Heflin | 50,000 |
| Selma | 342,000 |
| Gadsden | 230,000 |

3. University College:

| | |
|--|------------|
| (a) Instruction | 10,763,800 |
| (b) Research | 453,100 |
| (c) Public Service | 1,061,300 |
| (d) Libraries | 1,357,200 |
| (e) Academic Support (excl. Libr.) | 2,467,492 |
| (f) Student Services | 903,284 |
| (g) Institutional Support | 2,248,924 |
| (h) Operation & Maintenance of Physical Plant | 1,675,854 |
| (i) Scholarships and Fellowships .. | 120,000 |
| (j) Capital Outlay | 400,000 |
| (k) For Vocational Teacher Train- ing | 125,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------|------------|-----------|------------|
| (1) ASETF | 13,452,764 | | |
| (2) Federal Funds | | 382,821 | |
| (3) Local Funds | | 656,903 | |
| (4) Other Sources | | 7,083,466 | |
| Total University College | 13,452,764 | 8,123,190 | 21,575,954 |

4. University Hospital and Clinics:

| | |
|------------------------|------------|
| (a) Hospital | 81,914,088 |
| (b) Debt Service | 2,798,000 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|------------|------------|
| (1) ASETF | 5,907,000 | | |
| (2) Other Sources | | 78,805,088 | |
| Total University Hospital and Clinics | 5,907,000 | 78,805,088 | 84,712,088 |

5. School of Optometry:

| | |
|---|-----------|
| (a) Instruction | 2,111,241 |
| (b) Research | 91,684 |
| (c) Public Service | 62,188 |
| (d) Libraries | 5,477 |
| (e) Academic Support (excl. Libr.) | 296,586 |
| (f) Student Services | 33,263 |
| (g) Institutional Support | 154,370 |
| (h) Operation & Maintenance of Physical Plant | 315,882 |
| (i) Debt Service | 26,125 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------|-----------|-----------|-----------|
| (1) ASETF | 2,021,500 | | |
| (2) State Funds | | 267,731 | |
| (3) Other Sources | | 807,585 | |
| Total School of Optometry | 2,021,500 | 1,075,316 | 3,096,816 |

6. School of Public and Allied Health:

| | |
|---|-----------|
| (a) Instruction | 1,890,445 |
| (b) Research | 64,469 |
| (c) Public Service | 245,500 |
| (d) Libraries | 27,785 |
| (e) Academic Support (excl. Libr.) | 484,513 |
| (f) Student Services | 60,197 |
| (g) Institutional Support | 230,800 |
| (h) Operation & Maintenance of Physical Plant | 257,771 |
| (i) Scholarships and Fellowships .. | 16,000 |

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(j) Debt Service 29,514

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|-----------|
| (1) ASETF | 1,838,473 | | |
| (2) Federal Funds | | 1,089,642 | |
| (3) Other Sources | | 378,879 | |
| | | | |
| Total School of Community and Al- lied Health Resources | 1,838,473 | 1,468,521 | 3,306,994 |
| | | | |

7. Regional Technical Institute:

| | |
|--|-----------|
| (a) Instruction | 1,382,972 |
| (b) Research | 24,750 |
| (c) Public Service | 95,495 |
| (d) Libraries | 35,627 |
| (e) Academic Support (excl. Libr.) | 210,097 |
| (f) Student Services | 63,388 |
| (g) Institutional Support | 102,146 |
| (h) Operation & Maintenance of Physical Plant | 292,825 |

SOURCE OF FUNDS:

| | | | |
|---------------------------------------|-----------|---------|-----------|
| (1) ASETF | 1,697,245 | | |
| (2) Federal Funds | | 349,873 | |
| (3) Other Sources | | 160,182 | |
| | | | |
| Total Regional Technical Institute .. | 1,697,245 | 510,055 | 2,207,300 |
| | | | |

8. Joint Health Sciences Program:

| | |
|--|-----------|
| (a) Instruction | 1,675,968 |
| (b) Libraries | 32,400 |
| (c) Academic Support (excl. Libr.) | 185,700 |
| (d) Student Services | 12,000 |
| (e) Institutional Support | 280,400 |
| (f) Operation & Maintenance of Physical Plant | 572,164 |
| (g) Scholarships and Fellowships .. | 100,000 |
| (h) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | |
|-------------------------|-----------|
| (1) ASETF | 2,392,488 |
| (2) Federal Funds | 175,800 |

| | | | |
|---|-----------|-----------|-----------|
| (3) Other Sources | | 340,344 | |
| Total Joint Health Sciences Program | 2,392,488 | 516,144 | 2,908,632 |
| <hr/> | | | |
| 9. Department of Pediatrics: | | | |
| (a) Instruction | | | 318,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 318,000 | | |
| Total Department of Pediatrics | 318,000 | | 318,000 |
| <hr/> | | | |
| 10. Center for Labor Education & Research: | | | |
| (a) Research | | | 43,070 |
| (b) Public Service | | | 172,270 |
| (c) Institutional Support | | | 30,040 |
| (d) Operation & Maintenance of Physical Plant | | | 23,794 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 269,174 | | |
| Total Center for Labor Education and Research | 269,174 | | 269,174 |
| <hr/> | | | |
| 11. Student Nurses Loans: | | | |
| (a) Scholarships & Fellowships | | | 12,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 12,000 | | |
| Total Student Nurses Loans | 12,000 | | 12,000 |
| <hr/> | | | |
| 12. Special Mental Health: | | | |
| (a) Instruction | | | 1,684,908 |
| (b) Research | | | 362,451 |
| (c) Public Service | | | 91,707 |
| (d) Institutional Support | | | 95,246 |
| (e) Operation & Maintenance of Physical Plant | | | 80,877 |
| (f) Transfers | | | 567,710 |
| SOURCE OF FUNDS: | | | |
| (1) Special Mental Health Fund .. | | 2,882,899 | |
| <hr/> | | | |

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| | | |
|-----------------------------------|-----------|-----------|
| Total Special Mental Health | 2,882,899 | 2,882,899 |
|-----------------------------------|-----------|-----------|

13. Center for Developmental and Learning Disorders:

| | | |
|--------------------------|--|-----------|
| (a) Instruction | | 1,404,635 |
| (b) Research | | 25,083 |
| (c) Public Service | | 1,078,560 |

SOURCE OF FUNDS:

| | | |
|-------------------------------------|-----------|--|
| (1) Special Mental Health Fund | 487,250 | |
| (2) Federal Funds | 1,482,501 | |
| (3) Other Sources | 538,527 | |

| | | |
|---|-----------|-----------|
| Total Center for Development and Learning Disorders | 2,508,278 | 2,508,278 |
|---|-----------|-----------|

14. School of Dentistry:

| | | |
|---|--|-----------|
| (a) Instruction | | 5,525,057 |
| (b) Research | | 3,871,173 |
| (c) Public Service | | 561,287 |
| (d) Libraries | | 102,052 |
| (e) Academic Support (excl. Libr.) | | 574,044 |
| (f) Student Services | | 127,565 |
| (g) Institutional Support | | 803,661 |
| (h) Operation & Maintenance of Physical Plant | | 2,079,120 |
| (i) Debt Service | | 85,000 |

SOURCE OF FUNDS:

| | | |
|---------------------------------|-----------|------------|
| (1) ASETF | 6,938,000 | |
| (2) Federal Funds | 4,100,000 | |
| (3) Other Sources | 2,690,959 | |
| Total School of Dentistry | 6,938,000 | 13,728,959 |

15. School of Nursing Scholarships:

| | | |
|-------------------------------------|--|--------|
| (a) Scholarships & Fellowships | | 88,400 |
|-------------------------------------|--|--------|

SOURCE OF FUNDS:

| | | |
|-----------------|--------|--|
| (1) ASETF | 88,400 | |
|-----------------|--------|--|

| | | |
|--|--------|--------|
| Total School of Nursing Scholarships | 88,400 | 88,400 |
|--|--------|--------|

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16. System Medical Education Program:

(a) Instruction 503,500

SOURCE OF FUNDS:

(1) ASETF 503,500

| | | |
|--|---------|---------|
| Total System Medical Education Program | 503,500 | 503,500 |
|--|---------|---------|

17. School of Nursing:

(a) Instruction 2,621,714

(b) Research 51,134

(c) Public Service 45,000

(d) Libraries 34,080

(e) Academic Support (excl. Libr.) 399,325

(f) Student Services 133,991

(g) Institutional Support 248,857

(h) Operation & Maintenance of Physical Plant 317,983

(i) Scholarships & Fellowships 20,000

SOURCE OF FUNDS:

(1) ASETF 2,546,102

(2) Federal Funds 719,603

(3) Other Sources 606,379

| | | | |
|-------------------------------|-----------|-----------|-----------|
| Total School of Nursing | 2,546,102 | 1,325,982 | 3,872,084 |
|-------------------------------|-----------|-----------|-----------|

18. Health-Related Research and Public Service:

(a) Instruction 925,900

(b) Research 670,900

(c) Public Service 1,051,100

(d) Academic Support (excl. Libr.) 24,900

(e) Institutional Support 135,500

(f) Operation & Maintenance of Physical Plant 141,654

SOURCE OF FUNDS:

(1) ASETF 2,889,654

(2) Other Sources 60,300

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| | | | |
|--|-----------|--------|-----------|
| Total Health-Related Research and Public Service | 2,889,654 | 60,300 | 2,949,954 |
|--|-----------|--------|-----------|

(These appropriations under Sub-section B, University of Alabama in Birmingham are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama, whether acting on their behalf or for others, are hereby prohibited from applying or taking into account in any manner whatsoever, any portion of these appropriations in determining reimbursements for patient care activities.)

19. Emergency Medical Training, Including Mining Emergency Training & Safety:

| | | | |
|--------------------------|--|---------|--|
| (a) Instruction | | 125,000 | |
| (b) Public Service | | 40,000 | |

SOURCE OF FUNDS:

| | | | |
|--|---------|--|---------|
| (1) ASETF | 165,000 | | |
| Total Emergency Medical Training | 165,000 | | 165,000 |

20. Urban Research and Public Service:

| | | | |
|---|--|--------|--|
| (a) Research | | 46,800 | |
| (b) Public Service | | 97,870 | |
| (c) Libraries | | 17,020 | |
| (d) Operation & Maintenance of Physical Plant | | 8,522 | |

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 170,212 | | |
| Total Urban Research & Public Service | 170,212 | | 170,212 |

| | | | |
|---------------------------------|--|---------|--|
| 21. Hypertension Research | | 400,000 | |
|---------------------------------|--|---------|--|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--|---------|
| (1) ASETF | 400,000 | | |
| Total Hypertension Research | 400,000 | | 400,000 |

| | | | |
|------------------------------|--|---------|--|
| 22. Arthritis Research | | 400,000 | |
|------------------------------|--|---------|--|

SOURCE OF FUNDS:

| | | | |
|--|------------|-------------|-------------|
| (1) ASETF | 400,000 | | |
| Total Arthritis Research | 400,000 | | 400,000 |
| TOTAL UNIVERSITY OF ALA- BAMA IN BIRMINGHAM | 59,970,512 | 136,006,428 | 195,976,940 |

C. University of Alabama in Hunts-
ville:

(1) Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 4,439,805 |
| (b) Research | 1,514,883 |
| (c) Public Service | 277,652 |
| (d) Libraries | 330,645 |
| (e) Academic Support (excl. Lib.) | 264,531 |
| (f) Student Service | 536,212 |
| (g) Institutional Support | 1,008,079 |
| (h) Operation and Maintenance of Physical Plant | 1,000,930 |
| (i) Scholarships and Fellowships .. | 740,577 |
| (j) Auxiliary Enterprises | 1,075,163 |
| (k) Equipment Purchases | 530,000 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|-----------|-----------|------------|
| (1) ASETF | 5,691,184 | | |
| (2) Federal Funds | | 1,988,825 | |
| (3) Other Sources | | 3,938,468 | |
| Total Operation & Maintenance | 5,791,184 | 5,927,293 | 11,718,477 |

2. School of Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|---|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total School of Nursing Scholar- ships | 18,000 | | 18,000 |

(To be expended in accordance
with Act 2290, 1971 Regular Ses-
sion.)

3. School of Primary Medical Care:

| | |
|-----------------------|-----------|
| (a) Instruction | 1,704,937 |
|-----------------------|-----------|

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| | |
|--|---------|
| (b) Research | 435,865 |
| (c) Public Service | 16,423 |
| (d) Libraries | 29,906 |
| (e) Academic Support (excl. Libr.) | 550,623 |
| (f) Student Services | 60,175 |
| (g) Institutional Support | 365,534 |
| (h) Operation and Maintenance of Physical Plant | 312,094 |
| (i) Scholarships and Fellowships | 2,800 |
| (j) Equipment Purchases | 47,567 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|----------------|------------------|
| (1) ASETF | 2,642,511 | | |
| (2) Federal Funds | | 440,228 | |
| (3) Other Sources | | 443,185 | |
| Total School of Primary Medical Care | 2,642,511 | 883,413 | 3,525,924 |

**4. Johnson Environmental &
Energy Center:**

| | |
|--|---------|
| (a) Research | 338,626 |
| (b) Public Service | 201,730 |
| (c) Institutional Support | 23,454 |
| (d) Operation and Maintenance of Physical Plant | 44,007 |
| (e) Equipment Purchases | 27,282 |

SOURCE OF FUNDS:

| | | | |
|--|----------------|----------------|----------------|
| (1) ASETF | 269,191 | | |
| (2) State Funds | | 58,911 | |
| (3) Federal Funds | | 305,168 | |
| (4) Other Sources | | 1,829 | |
| Total Center for Environmental and Energy Studies | 269,191 | 365,908 | 635,099 |

5. Ambulatory Care Center:

| | |
|--|---------|
| (a) Instruction | 480,223 |
| (b) Academic Support (excl. Libr.) | 466,201 |
| (c) Institutional Support | 72,918 |
| (d) Operation and Maintenance of Physical Plant | 88,682 |

| | | | |
|--|---------|---------|-----------|
| (e) Equipment Purchases | | | 50,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 646,403 | | |
| (2) Other Sources | | 511,621 | |
| Total Ambulatory Care Center | 646,403 | 511,621 | 1,158,024 |
| <hr/> | | | |
| 6. School of Nursing: | | | |
| (a) Instruction | | | 538,238 |
| (b) Academic Support (excl. Libr.) | | | 197,272 |
| (c) Institutional Support | | | 108,347 |
| (d) Operation and Maintenance of Physical Plant | | | 137,722 |
| (e) Equipment Purchases | | | 2,700 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 792,027 | | |
| (2) Other Sources | | 192,252 | |
| Total School of Nursing | 792,027 | 192,252 | 984,279 |
| <hr/> | | | |
| 7. Paramedic Training: | | | |
| (a) Instruction | | | 7,750 |
| (b) Public Service | | | 86,000 |
| (c) Institutional Support | | | 16,730 |
| (d) Operation and Maintenance of Physical Plant | | | 14,520 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,000 | | |
| Total Paramedic Training | 125,000 | | 125,000 |
| <hr/> | | | |
| 8. Alabama Solar Energy Center: | | | |
| (a) Research | | | 36,947 |
| (b) Public Service | | | 36,947 |
| (c) Institutional Support | | | 10,226 |
| (d) Operation and Maintenance of Physical Plant | | | 19,188 |
| (e) Equipment Purchases | | | 14,349 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 117,657 | | |
| Total Solar Energy Center | 117,657 | | 117,657 |
| <hr/> | | | |

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| | | | |
|--|------------|-----------|------------|
| TOTAL UNIVERSITY OF ALA- BAMA IN HUNTSVILLE | 10,401,973 | 7,880,487 | 18,282,460 |
| | | | |

II. Board of Trustees of Alabama
A & M Univ.

A. Alabama A & M University

1. Operation and Maintenance

| | | | |
|--|--|-----------|--|
| (a) Instruction | | 5,772,727 | |
| (b) Research | | 1,124,500 | |
| (c) Public Service | | 1,680,425 | |
| (d) Libraries | | 625,400 | |
| (e) Academic Support (excl. Libr.) | | 671,455 | |
| (f) Student Services | | 588,550 | |
| (g) Institutional Support | | 1,840,000 | |
| (h) Operation and Maintenance of Physical Plant | | 2,291,814 | |
| (i) Scholarships and Fellowships .. | | 150,000 | |
| (j) Auxiliary Enterprises | | 2,900,000 | |
| (k) Equipment Purchases | | 241,814 | |
| (l) Automotive Equipment | | 65,000 | |
| (m) Debt Service | | 451,000 | |

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|-----------|------------|------------|
| (1) ASETF | 8,100,000 | | |
| (2) Federal Funds | | 5,027,000 | |
| (3) Other Sources | | 5,275,685 | |
| Total Operation & Maintenance | 8,100,000 | 10,302,685 | 18,402,685 |
| | | | |

| | | | |
|--------------------------------------|--|--|---------|
| 2. Vocational Teacher Training | | | 250,000 |
|--------------------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------------------|---------|--|---------|
| (1) ASETF | 250,000 | | |
| Total Vocational Teacher Trng. | 250,000 | | 250,000 |
| | | | |

| | | | |
|---|-----------|------------|------------|
| TOTAL ALABAMA A & M UNI- VERSITY | 8,350,000 | 10,302,685 | 18,652,685 |
| | | | |

III. Board of Trustees of Alabama
State University

A. Alabama State University

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,215,310 |
| (b) Libraries | 670,860 |
| (c) Academic Support (excl. Libr.) | 511,880 |
| (d) Student Services | 888,340 |
| (e) Institutional Support | 1,259,780 |
| (f) Operation and Maintenance of Physical Plant | 1,337,810 |
| (g) Scholarships and Fellowships .. | 3,807,340 |
| (h) Auxiliary Enterprises | 2,424,780 |
| (i) Research | 93,610 |
| (j) Public Service | 93,820 |
| (k) Debt Service | 920,000 |
| (l) Support personnel salary in- creases | 250,000 |

SOURCE OF FUNDS:

| | | | |
|--------------------------------------|-----------|------------|------------|
| (1) ASETF | 7,368,175 | | |
| (2) Federal Funds | | 4,271,910 | |
| (3) Other Sources | | 5,833,445 | |
| Total Alabama State University | 7,368,175 | 10,105,355 | 17,473,530 |

IV. Board of Trustees of Auburn
University

A. Auburn University

1. Operation and Maintenance:

| | |
|--|------------|
| (a) Instruction | 30,016,035 |
| (b) Research | 5,987,159 |
| (c) Public Service | 4,036,563 |
| (d) Libraries | 3,581,220 |
| (e) Academic Support (excl. Libr.) | 3,310,474 |
| (f) Student Services | 3,273,554 |
| (g) Institutional Support | 4,651,892 |
| (h) Operation and Maintenance of Physical Plant | 7,476,079 |
| (i) Scholarships and Fellowships .. | 1,400,000 |
| (j) Auxiliary Enterprises | 15,040,000 |

SOURCE OF FUNDS:

| | |
|-----------------|------------|
| (1) ASETF | 34,962,440 |
|-----------------|------------|

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| | | |
|---|------------|------------|
| (2) Federal Funds | 152,350 | |
| (3) Other Sources | 43,637,906 | |
| (4) State Funds | 20,280 | |
| Total Operation and Maintenance .. | 34,962,440 | 78,772,976 |
| | <hr/> | <hr/> |
| 2. School of Nursing: | | |
| (a) Instruction | | 500,000 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 500,000 | |
| Total School of Nursing | 500,000 | 500,000 |
| | <hr/> | <hr/> |
| 3. Educational Television: | | |
| (a) Instruction | | 352,068 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 352,068 | |
| Total Educational Television | 352,068 | 352,068 |
| | <hr/> | <hr/> |
| 4. Center for Vocational Teacher Educational Training: | | |
| (a) Instruction | | 500,000 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 500,000 | |
| Total Center for Vocational Teacher Educational Training | 500,000 | 500,000 |
| | <hr/> | <hr/> |
| 5. Clinical Psychology: | | |
| (a) Instruction | | 103,950 |
| (b) Equipment-Other than Auto- motive | | 6,050 |
| SOURCE OF FUNDS: | | |
| (1) ASETF | 110,000 | |
| Total Clinical Psychology | 110,000 | 110,000 |
| | <hr/> | <hr/> |
| 6. Agricultural Experiment Station (Including Wildlife): | | |
| (a) Research | | 14,609,845 |
| (b) Insitutional Support | | 618,350 |
| (c) Operation and Maintenance of Physical Plant | | 286,953 |

SOURCE OF FUNDS:

| | | | |
|---|-----------|-----------|------------|
| (1) ASETF | 7,224,277 | | |
| (2) Federal Funds | | 5,546,341 | |
| (3) Other Sources | | 2,550,000 | |
| (4) State Funds | | 194,530 | |
| Total Agriculture Experiment Sta- tion | 7,224,277 | 8,290,871 | 15,515,148 |

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (a) shall be carried out under the supervision of the Director of the Agriculture Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for the fiscal year ending September 30, 1979.

The funds provided in this sub-section (a) shall be used for the support of researchers, experiments and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researchers and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

7. Engineering Experimental Sta-
tion:

| | |
|--------------------|---------|
| (a) Research | 812,232 |
|--------------------|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 812,232 | |
| Total Engineering Experimental Station | 812,232 | 812,232 |

8. Cooperative Extension Service:

| | |
|--------------------------|------------|
| (a) Public Service | 17,293,319 |
|--------------------------|------------|

SOURCE OF FUNDS:

| | | | |
|--|-----------|-----------|------------|
| (1) ASETF | 7,893,538 | | |
| (2) Federal Funds | | 7,872,700 | |
| (3) Local Funds | | 1,527,081 | |
| Total Cooperative Extension Ser- vice | 7,893,538 | 9,399,781 | 17,293,319 |

production; marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama;

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for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns, and other sod crop purposes; for the testing of varieties of crops, including soil adaptation and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researchers and experiments dealing with forest production, management and use; for researchers dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researchers to discover new uses of land; for the provisions of necessary land, building, fencing livestock and other physical equipment needed for the research work herein provided for; for researchers in game and fish production; provided, however, that any researchers in game and fish production shall be in cooperation

9. Cooperative Extension Service-Retirement:

| | |
|--------------------------|-----------|
| (a) Public Service | 1,022,840 |
|--------------------------|-----------|

SOURCE OF FUNDS:

| | |
|-----------------|-----------|
| (1) ASETF | 1,022,840 |
|-----------------|-----------|

| | |
|-------------------|--|
| (2) Other Sources | |
|-------------------|--|

| | | |
|--|-----------|-----------|
| Total Cooperative Extension Service-Retirement | 1,022,840 | 1,022,840 |
|--|-----------|-----------|

The appropriation herein made for the Extension Service shall be expended by the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

10. Public Service, Research and Extension:

| | |
|--------------------------|---------|
| (a) Public Service | 346,841 |
|--------------------------|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 346,841 |
|-----------------|---------|

| | | |
|--|---------|---------|
| Total Public Service, Research and Extension | 346,841 | 346,841 |
|--|---------|---------|

| | |
|---------------------------|---------|
| 11. Energy Research | 250,000 |
|---------------------------|---------|

SOURCE OF FUNDS:

| | |
|-----------------|---------|
| (1) ASETF | 250,000 |
|-----------------|---------|

| | | |
|-----------------------------|---------|---------|
| Total Energy Research | 250,000 | 250,000 |
|-----------------------------|---------|---------|

| | | | |
|----------------------------|------------|------------|-------------|
| TOTAL AUBURN UNIVERSITY .. | 53,974,236 | 61,501,188 | 115,475,424 |
|----------------------------|------------|------------|-------------|

B. Auburn University at Montgomery:

1. Operations and Maintenance:

| | | |
|--|--|-----------|
| (a) Instruction | | 4,516,113 |
| (b) Research | | 87,405 |
| (c) Public Service | | 1,801,705 |
| (d) Libraries | | 314,216 |
| (e) Academic Support (excl. Libr.) | | 245,453 |
| (f) Student Services | | 345,521 |
| (g) Institutional Support | | 515,122 |
| (h) Operation and Maintenance of Physical Plant | | 1,146,296 |
| (i) Scholarships and Fellowships .. | | 293,295 |
| (j) Debt Service | | 60,314 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 5,281,493 | | |
| (2) Federal Funds | | 1,621,100 | |
| (3) State Funds | | 45,000 | |
| (4) Other Sources | | 2,377,847 | |
| Total Operation and Maintenance .. | 5,281,493 | 4,043,947 | 9,325,440 |

2. Montgomery Area Community Health Science Institute:

| | | |
|--------------------------|--|---------|
| (a) Public Service | | 127,769 |
|--------------------------|--|---------|

SOURCE OF FUNDS:

| | | | |
|---|---------|--|---------|
| (1) ASETF | 127,769 | | |
| Total Montgomery Area Community Health Science Institute | 127,769 | | 127,769 |

3. Public Service Research and Extensions (Center for Government & Public Affairs):

| | | |
|---------------------------|--|---------|
| (a) Public Services | | 158,400 |
|---------------------------|--|---------|

SOURCE OF FUNDS:

| | | | |
|-------------------------|---------|-------|--|
| (1) ASETF | 150,000 | | |
| (2) Other Sources | | 8,400 | |

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| | | | |
|---|---------|-------|---------|
| Total Public Service Research and Extensions (Center for Government and Public Affairs) | 150,000 | 8,400 | 158,400 |
| | | | |

4. School of Nursing:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 250,000 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 250,000 | | |
|-----------------|---------|--|--|

| | | | |
|-------------------------------|---------|--|---------|
| Total School of Nursing | 250,000 | | 250,000 |
| | | | |

| | | | |
|----------------------------------|-----------|-----------|-----------|
| TOTAL AUBURN AT MONTGOMERY | 5,809,262 | 4,052,347 | 9,861,609 |
| | | | |

V. Board of Trustees of Jacksonville State University:

A. Jacksonville State University

1. Operations and Maintenance

| | | | |
|-----------------------|--|--|-----------|
| (a) Instruction | | | 7,772,548 |
|-----------------------|--|--|-----------|

| | | | |
|--------------------------|--|--|--------|
| (b) Public Service | | | 64,172 |
|--------------------------|--|--|--------|

| | | | |
|---------------------|--|--|-----------|
| (c) Libraries | | | 1,061,468 |
|---------------------|--|--|-----------|

| | | | |
|--|--|--|---------|
| (d) Academic Support (excl. Libr.) | | | 499,736 |
|--|--|--|---------|

| | | | |
|----------------------------|--|--|---------|
| (e) Student Services | | | 853,172 |
|----------------------------|--|--|---------|

| | | | |
|---------------------------------|--|--|---------|
| (f) Institutional Support | | | 370,304 |
|---------------------------------|--|--|---------|

| | | | |
|---|--|--|-----------|
| (g) Operation and Maintenance of Physical Plant | | | 2,310,978 |
|---|--|--|-----------|

| | | | |
|-------------------------------------|--|--|---------|
| (h) Scholarships and Fellowships .. | | | 315,000 |
|-------------------------------------|--|--|---------|

| | | | |
|------------------------|--|--|---------|
| (i) Debt Service | | | 515,000 |
|------------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------|------------|--|--|
| (1) ASETF | 10,272,378 | | |
|-----------------|------------|--|--|

| | | | |
|-----------------------|--|---------|--|
| (2) State Funds | | 160,000 | |
|-----------------------|--|---------|--|

| | | | |
|-------------------------|--|-----------|--|
| (3) Other Sources | | 3,230,000 | |
| | | | |

| | | | |
|----------------------------------|------------|-----------|------------|
| Total Operations and Maintenance | 10,372,378 | 3,390,000 | 13,762,378 |
| | | | |

2. Gadsden Program:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 465,622 |
|-----------------------|--|--|---------|

| | | | |
|--------------------------|--|--|-------|
| (b) Public Service | | | 8,000 |
|--------------------------|--|--|-------|

| | | | |
|---------------------|--|--|--------|
| (c) Libraries | | | 38,000 |
|---------------------|--|--|--------|

| | | | |
|---------------------------------------|--|--|--------|
| (d) Academic Support (excl. Libr.) .. | | | 18,000 |
|---------------------------------------|--|--|--------|

| | | | |
|----------------------------|--|--|--------|
| (e) Student Services | | | 15,000 |
|----------------------------|--|--|--------|

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| | |
|---|--------|
| (f) Operation and Maintenance of Physical Plant | 50,000 |
|---|--------|

SOURCE OF FUNDS:

| | | |
|--|---------|---------|
| (1) ASETF | 484,622 | |
| (2) Other Sources | | 110,000 |
| | | 110,000 |
| Total Cooperative University Upper Division (formerly Gadsden Prog.) | 484,622 | 594,622 |
| | 484,622 | 594,622 |

3. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | |
|----------------------------------|--------|--------|
| (1) ASETF | 18,000 | |
| | 18,000 | |
| Total Nursing Scholarships | 18,000 | 18,000 |
| | 18,000 | 18,000 |

(To be expended in accordance with Act No. 2288, 1971 Regular Session.)

| | |
|--|---------|
| 4. United Cerebral Palsy Development Center for East Central Alabama | 100,000 |
|--|---------|

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 100,000 | |
| | 100,000 | |
| Total United Cerebral Palsy Development Center for East Central Alabama | 100,000 | 100,000 |
| | 100,000 | 100,000 |

| | |
|------------------------------------|---------|
| 5. For Vocational Teacher Training | 100,000 |
|------------------------------------|---------|

SOURCE OF FUNDS:

| | | |
|-----------------------------------|---------|---------|
| (1) ASETF | 100,000 | |
| | 100,000 | |
| Total Vocational Teacher Training | 100,000 | 100,000 |
| | 100,000 | 100,000 |

| | | |
|---|------------|------------|
| TOTAL JACKSONVILLE STATE UNIVERSITY | 11,075,000 | |
| | 11,075,000 | |
| | 3,500,000 | 14,575,000 |

A. Livingston University:

1. Operation and Maintenance:

| | |
|------------------------------------|-----------|
| (a) Instruction | 1,634,247 |
| (b) Libraries | 173,902 |
| (c) Academic Support (excl. Libr.) | 196,472 |
| (d) Student Services | 224,790 |

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| | |
|--|-----------|
| (e) Institutional Support | 630,208 |
| (f) Operation and Maintenance of Physical Plant | 891,821 |
| (g) Scholarships and Fellowships .. | 25,646 |
| (h) Auxiliary Enterprises | 1,078,000 |
| (i) For Federal Programs | 189,800 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|-----------|
| (1) ASETF | 3,211,782 | | |
| (2) Federal Funds | | 189,800 | |
| (3) Local Funds | | 1,643,304 | |
| Total Operation and Maintenance .. | 3,211,782 | 1,833,104 | 5,044,886 |

2. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|-----------|-----------|
| (1) ASETF | 18,000 | | |
| Total Nursing Scholarships | 18,000 | | 18,000 |
| TOTAL LIVINGSTON UNIVERSITY | 3,229,782 | 1,833,104 | 5,062,886 |

VII. Board of Trustees of University of Montevallo:

A. University of Montevallo:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 2,999,975 |
| (b) Research | 50,000 |
| (c) Public Service | 89,456 |
| (d) Libraries | 249,691 |
| (e) Academic Support | 372,312 |
| (f) Student Services | 392,952 |
| (g) Institutional Support | 807,390 |
| (h) Operation and Maintenance of Physical Plant | 1,546,618 |
| (i) Scholarships and Fellowships .. | 77,070 |
| (j) Hospitals | 306,080 |
| (k) Auxiliary Enterprises | 1,966,651 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|-----------|
| (1) ASETF | 4,975,198 | | |
| (2) State Funds | | 85,000 | |
| (3) Federal Funds | | 323,959 | |
| (4) Other Sources | | 3,474,038 | |
| Total Operations and Maintenance | 4,975,198 | 3,882,997 | 8,858,195 |

2. School for Aphasic Children:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 276,072 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--------|---------|
| (1) ASETF | 199,464 | | |
| (2) Federal Funds | | 3,000 | |
| (3) Other Sources | | 73,608 | |
| Total School for Aphasic Children | 199,464 | 76,608 | 276,072 |

3. Highway Safety Program:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 127,788 |
|-----------------------|--|--|---------|

SOURCE OF FUNDS:

| | | | |
|------------------------------|---------|-------|---------|
| (1) ASETF | 125,714 | | |
| (2) Other Sources | | 2,074 | |
| Total Highway Safety Program | 125,714 | 2,074 | 127,788 |

4. Communications Center:

| | | | |
|--------------------------|--|--|--------|
| (a) Public Service | | | 18,178 |
|--------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------|--------|--|--------|
| (1) ASETF | 18,178 | | |
| Total Communications Center | 18,178 | | 18,178 |

| | | | |
|------------------------------------|--|--|--------|
| 5. For Vocational Teacher Training | | | 50,000 |
|------------------------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|--------|--|--------|
| (1) ASETF | 50,000 | | |
| Total Vocational Teacher Training | 50,000 | | 50,000 |

| | | | |
|---|-----------|-----------|-----------|
| TOTAL UNIVERSITY OF MONTE- VALLO | 5,368,554 | 3,961,679 | 9,330,233 |
|---|-----------|-----------|-----------|

VIII. Board of Trustees of University of North Alabama:

A. University of North Alabama:

SECOND EXTRAORDINARY SESSION
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1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 5,219,942 |
| (b) Research | 106,350 |
| (c) Public Service | 51,130 |
| (d) Libraries | 487,000 |
| (e) Academic Support (excl. Lib.) | 629,000 |
| (f) Student Services | 835,660 |
| (g) Institutional Support | 1,147,000 |
| (h) Operation and Maintenance of Physical Plant | 1,636,200 |
| (i) Scholarships and Fellowships .. | 60,439 |
| (j) Debt Service | 170,700 |

SOURCE OF FUNDS:

| | | | |
|------------------------------------|-----------|-----------|------------|
| (1) ASETF | 7,000,000 | | |
| (2) Federal Funds | | 284,680 | |
| (3) Local Funds | | 85,000 | |
| (4) Other Sources | | 2,973,741 | |
| Total Operation and Maintenance .. | 7,000,000 | 3,343,421 | 10,343,421 |

2. Auxiliary Enterprises:

| | |
|---------------------------------|-----------|
| (a) Auxiliary Enterprises | 2,544,321 |
|---------------------------------|-----------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|-----------|-----------|-----------|
| (1) Other Sources | 2,544,321 | | |
| Total Auxiliary Enterprises | | 2,544,321 | 2,544,321 |

3. Nursing School Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 18,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|--------|--|--------|
| (1) ASETF | 18,000 | | |
| Total Nursing School Scholarships | 18,000 | | 18,000 |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

| | | | |
|--|-----------|-----------|------------|
| TOTAL UNIVERSITY OF NORTH ALABAMA | 7,018,000 | 5,887,742 | 12,905,742 |
|--|-----------|-----------|------------|

IX. Board of Trustees of University
of South Alabama:

A. University of South Alabama:

1. Operations and Maintenance:

| | |
|---|-----------|
| (a) Instruction | 8,120,663 |
| (b) Research | 175,488 |
| (c) Public Service | 49,267 |
| (d) Libraries | 416,050 |
| (e) Academic Support (excl. Libr.) | 458,281 |
| (f) Student Services | 1,272,356 |
| (g) Institutional Support | 1,216,059 |
| (h) Operations and Maintenance of Physical Plant | 2,137,653 |
| (i) Scholarships and Fellowships .. | 275,181 |
| (j) Debt Service | 1,499,333 |
| (k) Capital Outlay | 113,283 |
| (l) Equipment-Other than Auto- motive | 508,199 |
| (m) Automotive Equipment | 19,110 |
| (n) Transfers | 190,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 9,852,713 | | |
| (2) State Funds | | 123,353 | |
| (3) Federal Funds | | 481,400 | |
| (4) Other Sources | | 5,993,457 | |
| Total Operations and Maintenance | 9,852,713 | 6,598,210 | 16,450,923 |

2. Statewide Medical Education:

| | |
|-----------------------|---------|
| (a) Instruction | 187,824 |
|-----------------------|---------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------------|---------|--|---------|
| (1) ASETF | 187,824 | | |
| Total Statewide Medical Education | 187,824 | | 187,824 |

3. Ambulatory Care:

| | |
|--|--------|
| (a) Academic Support (excl. Libr.) | 99,304 |
|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------------------|--------|--|--------|
| (1) ASETF | 99,304 | | |
| Total Ambulatory Care | 99,304 | | 99,304 |

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4. Family Practice Residency Program:

| | |
|---|---------|
| (a) Instruction | 423,316 |
| (b) Operations and Maintenance of Physical Plant | 4,880 |
| (c) Equipment-Other than Auto- motive | 54,804 |
| (d) Transfers | 94,000 |

SOURCE OF FUNDS:

| | | |
|---|---------|---------|
| (1) ASETF | 577,000 | |
| Total Family Practice Residency Programs | 577,000 | 577,000 |

The above appropriation shall be expended for Rural Family Practice Training Programs not limited to but including Family Practice Residency in Baldwin County, Family Practice Training Center in Pike County and start-up costs for Family Practice Residency Program in Dothan.

5. College of Medicine:

| | |
|---|-----------|
| (a) Instruction | 6,320,483 |
| (b) Research | 1,073,449 |
| (c) Public Service | 24,707 |
| (d) Libraries | 408,000 |
| (e) Academic Support | 386,817 |
| (f) Student Services | 125,262 |
| (g) Institutional Support | 869,353 |
| (h) Operations and Maintenance of Physical Plant | 1,228,181 |
| (i) Scholarships and Fellowships .. | 35,811 |
| (j) Capital Outlay | 192,695 |
| (k) Equipment-Other than Auto- motive | 192,695 |
| (l) Transfers | 1,791,434 |

SOURCE OF FUNDS:

| | | |
|-------------------------|-----------|-----------|
| (1) ASETF | 8,459,329 | |
| (2) Federal Funds | | 1,262,506 |
| (3) Other Sources | | 3,127,052 |

| | | | |
|---------------------------------|-----------|-----------|------------|
| Total College of Medicine | 8,259,329 | 4,389,558 | 12,648,887 |
| | <hr/> | <hr/> | <hr/> |

6. University Medical Center:

(Includes University Hospital and Clinic)

| | | | |
|--------------------------|--|--|------------|
| (a) Medical Center | | | 25,971,366 |
|--------------------------|--|--|------------|

SOURCE OF FUNDS:

| | | | |
|-----------------|-----------|--|--|
| (1) ASETF | 1,677,427 | | |
|-----------------|-----------|--|--|

| | | | |
|-------------------------|--|------------|--|
| (2) Other Sources | | 24,293,939 | |
|-------------------------|--|------------|--|

| | | | |
|------------------------------------|-----------|------------|------------|
| Total University Medical Center .. | 1,677,427 | 24,293,939 | 25,971,366 |
| | <hr/> | <hr/> | <hr/> |

7. Newborn Growth and Development Program (formerly Infant and Maternal Care):

| | | | |
|-----------------------|--|--|--------|
| (a) Instruction | | | 79,097 |
|-----------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------|--------|--|--|
| (1) ASETF | 79,097 | | |
|-----------------|--------|--|--|

| | | | |
|--------------------------------------|--------|--|--------|
| Total Infant and Maternal Care | 79,097 | | 79,097 |
| | <hr/> | | <hr/> |

8. Human and Clinical Nutrition Program

| | | | |
|-----------------------|--|--|--------|
| (a) Instruction | | | 25,000 |
|-----------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------|--------|--|--|
| (1) ASETF | 25,000 | | |
|-----------------|--------|--|--|

| | | | |
|---|--------|--|--------|
| Total Human and Clinical Nutrition Prog. | 25,000 | | 25,000 |
| | <hr/> | | <hr/> |

9. Division of Allied Health:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 456,770 |
|-----------------------|--|--|---------|

| | | | |
|---------------------------------|--|--|--------|
| (b) Institutional Support | | | 74,384 |
|---------------------------------|--|--|--------|

| | | | |
|---|--|--|--------|
| (c) Equipment-Other than Automotive | | | 57,000 |
|---|--|--|--------|

| | | | |
|---------------------|--|--|--------|
| (d) Transfers | | | 96,145 |
|---------------------|--|--|--------|

SOURCE OF FUNDS:

| | | | |
|-----------------|---------|--|--|
| (1) ASETF | 586,432 | | |
|-----------------|---------|--|--|

| | | | |
|-------------------------|--|--------|--|
| (2) Other Sources | | 97,867 | |
|-------------------------|--|--------|--|

| | | | |
|---------------------------------------|---------|--------|---------|
| Total Division of Allied Health | 586,432 | 97,867 | 684,299 |
| | <hr/> | <hr/> | <hr/> |

10. School of Nursing:

| | | | |
|-----------------------|--|--|---------|
| (a) Instruction | | | 500,706 |
|-----------------------|--|--|---------|

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| | |
|--|--------|
| (b) Institutional Support | 15,000 |
| (c) Equipment-Other than Auto- motive | 30,000 |
| (d) Transfers | 99,942 |

SOURCE OF FUNDS:

| | | | |
|-------------------------------|---------|---------|---------|
| (1) ASETF | 468,864 | | |
| (2) Federal Funds | | 25,500 | |
| (3) Other Sources | | 151,284 | |
| Total School of Nursing | 468,864 | 176,784 | 645,648 |

11. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 22,539 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|-------|--------|
| (1) ASETF | 18,000 | | |
| (2) Other Sources | | 4,539 | |
| Total Nursing Scholarships | 18,000 | 4,539 | 22,539 |

(To be expended in accordance
with Act No. 2304, 1971 Regular
Session.)

12. Research and Public Service
Extension:

| | |
|--|--------|
| (a) Research | 40,000 |
| (b) Public Service | 51,398 |
| (c) Equipment-Other than Auto- motive | 10,000 |

SOURCE OF FUNDS:

| | | | |
|--|--------|--------|---------|
| (1) ASETF | 91,398 | | |
| (2) Other Sources | | 10,000 | |
| Total Research and Public Service Extension | 91,398 | 10,000 | 101,398 |

13. Reproductive Health Sciences
Center:

| | |
|--|--------|
| (a) Instruction | 25,000 |
| (b) Equipment-Other than Auto- motive | 25,000 |

SOURCE OF FUNDS:

| | |
|-----------------|--------|
| (1) ASETF | 50,000 |
|-----------------|--------|

| | | | |
|--|------------|------------|------------|
| Total Reproductive Health Sciences Center | 50,000 | | 50,000 |
| 14. Paramedic Training Program: | | | |
| (a) For Operations and Maintenance | | | 125,000 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 125,000 | | |
| Total Paramedic Training Program | 125,000 | | 125,000 |
| 15. Auxiliary Enterprises: | | | |
| (a) Auxiliary Enterprises | | | 4,549,481 |
| SOURCE OF FUNDS: | | | |
| (1) Other Sources | | 4,549,481 | |
| Total Auxiliary Enterprises | | 4,549,481 | 4,549,481 |
| 16. Basic Medical Sciences: | | | |
| (a) Instruction | | | 109,323 |
| (b) Research | | | 20,347 |
| (c) Libraries | | | 16,273 |
| (d) Academic Support | | | 25,213 |
| (e) Student Services | | | 3,045 |
| (f) Institutional Support | | | 10,162 |
| (g) Operations and Maintenance of Physical Plant | | | 30,037 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 200,000 | | |
| (2) Other Sources | | 14,400 | |
| Total Basic Medical Sciences | 200,000 | 14,400 | 214,400 |
| TOTAL UNIVERSITY OF SOUTH ALABAMA | 22,297,388 | 40,120,378 | 62,417,766 |

(These appropriations under Section IX, University of South Alabama, are for the unrestricted support of these activities and therefore insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama whether acting on their behalf or for others are hereby prohibited from applying or taking into ac-

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count in any manner whatsoever,
any portion of these appropriations
in determining reimbursements
for patient care activities.)

X. Board of Trustees of Troy State
University

A. Troy State University:

1. Operations and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 4,176,400 |
| (b) Research | 32,800 |
| (c) Libraries | 377,900 |
| (d) Academic Support (excl. Libr.) | 259,800 |
| (e) Student Services | 831,200 |
| (f) Institutional Support | 1,090,300 |
| (g) Operation and Maintenance of Physical Plant | 1,300,000 |
| (h) Scholarships and Fellowships .. | 360,000 |
| (i) Public Service | 221,800 |
| (j) Auxiliary Enterprises | 3,265,318 |
| (k) Capital Outlay | 365,000 |
| (l) Debt Services | 245,000 |
| (m) Transfer to Plant Fund | 100,000 |
| (n) For Vocational Teacher Train- ing | 100,000 |

SOURCE OF FUNDS:

| | | | |
|----------------------------------|-----------|-----------|------------|
| (1) ASETF | 6,508,599 | | |
| (2) Federal Funds | | 500,000 | |
| (3) Other Sources | | 5,716,919 | |
| Total Operations and Maintenance | 6,508,599 | 6,216,919 | 12,725,518 |

2. Operation and Maintenance at
Ft. Rucker/Dothan:

| | |
|--|-----------|
| (a) Instruction | 1,137,700 |
| (b) Libraries | 114,900 |
| (c) Academic Support (excl. Libr.) | 154,700 |
| (d) Student Services | 131,200 |
| (e) Institutional Support | 172,500 |
| (f) Operation and Maintenance of Physical Plant | 116,626 |

| | |
|-------------------------------------|---------|
| (g) Scholarships and Fellowships .. | 20,000 |
| (h) Auxiliary Enterprises | 145,000 |
| (i) Capital Outlay | 115,000 |
| (j) Debt Service | 80,000 |

SOURCE OF FUNDS:

| | | | |
|--|---------|-----------|-----------|
| (1) ASETF | 870,000 | | |
| (2) Other Sources | | 1,317,626 | |
| Total Operations and Maintenance at Ft. Rucker/Dothan | 870,000 | 1,317,626 | 2,187,626 |

3. Operations and Maintenance in
Montgomery:

| | |
|-------------------------------------|-----------|
| (a) Instruction | 1,217,300 |
| (b) Public Service | 66,500 |
| (c) Libraries | 15,000 |
| (d) Academic Support (excl. Libr.) | 145,000 |
| (e) Student Services | 235,000 |
| (f) Institutional Support | 495,000 |
| (g) Scholarships and Fellowships .. | 5,000 |
| (h) Auxiliary Enterprises | 220,000 |
| (i) Capital Outlay | 50,000 |

SOURCE OF FUNDS:

| | | | |
|---|---------|-----------|-----------|
| (1) ASETF | 222,800 | | |
| (2) Other Sources | | 2,280,000 | |
| Total Operations and Maintenance in Montgomery | 222,800 | 2,280,000 | 2,502,800 |

4. Nursing Scholarships:

| | |
|-------------------------------------|--------|
| (a) Scholarships and Fellowships .. | 36,000 |
|-------------------------------------|--------|

SOURCE OF FUNDS:

| | | | |
|----------------------------------|--------|--|--------|
| (1) ASETF | 36,000 | | |
| Total Nursing Scholarships | 36,000 | | 36,000 |

(To be expended in accordance
with Act No. 2292, 1971 Regular
Session.)

5. Operation and Maintenance of
Troy State University's Bay
Minette Branch:

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(a) Instruction 50,000

SOURCE OF FUNDS:

(1) ASETF 50,000

| | | |
|--|--------|--------|
| Total Operation and Maintenance at Bay Minette's Branch | 50,000 | 50,000 |
|--|--------|--------|

6. Operation and Maintenance of
BSN Program in Montgomery 250,000

SOURCE OF FUNDS:

(1) ASETF 250,000

| | | |
|---------------------------------------|---------|---------|
| Total Nursing School-Montgomery | 250,000 | 250,000 |
|---------------------------------------|---------|---------|

| | | | |
|--|-----------|-----------|------------|
| TOTAL TROY STATE UNIVER- SITY | 7,937,399 | 9,814,545 | 17,751,944 |
|--|-----------|-----------|------------|

XI. Board of Trustees for Alabama
Institute for Deaf and Blind:

A. Alabama Institute for Deaf and
Blind:

1. Operation and Maintenance:

(a) Instructions 1,710,440

(b) Libraries 72,368

(c) Student Services 379,151

(d) Institutional Support 149,190

(e) Operation and Maintenance of
Physical Plant 1,337,543

(f) Scholarships and Fellowships .. 1,800

(g) Infirmary Speech and Hearing 133,233

(h) Auxiliary Enterprises 2,179,651

SOURCE OF FUNDS:

(1) ASETF 3,696,500

(2) Federal Funds 2,266,876

| | | | |
|---|-----------|-----------|-----------|
| Total Alabama Institute for Deaf and Blind | 3,696,500 | 2,266,876 | 5,963,376 |
|---|-----------|-----------|-----------|

B. Department of Adult Blind and
Deaf:

1. Operation and Maintenance:

(a) Instruction 1,105,085

(b) Libraries 77,133

| | | | |
|---|-----------|-----------|------------|
| (c) Academic Support (excl. Libr.) | | | 32,441 |
| (d) Student Services | | | 805,927 |
| (e) Institutional Support | | | 259,251 |
| (f) Operation and Maintenance of Physical Plant | | | 312,833 |
| (g) Auxiliary Enterprises | | | 8,896,247 |
| (h) Equipment-Other than Auto- motive | | | 63,466 |
| (i) Automotive Equipment | | | 12,501 |
| SOURCE OF FUNDS: | | | |
| (1) ASETF | 1,518,500 | | |
| (2) Federal Funds | | 2,017,349 | |
| (3) Other Sources | | 5,029,035 | |
| Total Alabama Institute for Deaf and Blind | 1,518,500 | 7,046,384 | 8,564,884 |
| GRAND TOTAL ALABAMA IN- STITUTE FOR D E A F AND BLIND | | | |
| | 5,215,000 | 9,313,260 | 14,528,260 |

Also each certificated employee shall be allowed two hundred forty-seven dollars and twenty cents (\$247.20) to provide hospital-medical insurance assistance. A majority of the participating professional employees shall select the plan(s) and the carrier(s) of the hospital-medical insurance. Of the appropriation above three hundred dollars (\$300) per teacher unit for grades K-12 is allocated for all teachers employed (except ESEA Title I and Title III teachers and ESAA teachers) and shall be allotted for the purchase of instructional supplies, materials, and equipment, excluding furniture and fixtures. The faculty and principal shall cooperatively develop a budget for instructional supplies and materials and, based on this budget, recommend to the President the amount to be allotted to each teacher for the operation of the Instructional program within the school. The board of trustees shall issue requisitions for purchases from these funds and shall issue purchase orders and handle all financial transactions in compliance with this section. Of the amount appropriated above for the fiscal year ending September 30, 1979, in addition to salary now received and all salary increments due, all teachers and administrative employees shall receive salary increases as follows: Teachers holding rank "AA" or equivalent certificates not less than one thousand three hundred sixty dollars (\$1,360) per annum; Rank I or its equivalent teachers not less than one thousand two hundred forty-five dollars (\$1,245) per annum; Rank II or its equivalent teachers not less than one thousand one hundred thirty dollars (\$1,130) per annum; Rank III or its equivalent teachers not less than one thousand fifteen dollars (\$1,015) per annum; Rank IV or its equivalent teachers not less than nine hundred (\$900) per annum for the regular academic year. Persons employed for ten, eleven or twelve months shall receive an additional pro rata salary increase. In addition to the salary now received by support personnel, full-time personnel shall receive a salary increase of not less than five hundred dollars (\$500) per annum for nine months employment. Personnel employed for more than nine months shall receive additional pro rata increases. Full-time support

personnel shall be defined as those support personnel working at least six hours per day. Those support personnel working less than six hours per day shall receive pro rata increases based on number of hours worker per day.

XII. State Board of Education

A. Athens State College:

1. Operation and Maintenance:

| | |
|--|-----------|
| (a) Instruction | 1,256,227 |
| (b) Instructional Support | 105,072 |
| (c) Administrative Support | 442,221 |
| (d) Student Services | 144,347 |
| (e) Operation and Maintenance of Physical Plant | 362,141 |
| (f) Auxiliary Enterprises | 323,122 |

SOURCE OF FUNDS:

| | | | |
|---|------------------|------------------|------------------|
| (1) ASETF | 1,500,000 | | |
| (2) Federal Funds | | 122,250 | |
| (3) Other Sources | | 1,010,880 | |
| TOTAL ATHENS STATE COL- LEGE | 1,500,000 | 1,133,130 | 2,633,130 |

Section 6. For Funding of a Paramedic Training Program with the proposed instruction to be conducted at the following institutions.

1. George C. Wallace Community College at Dothan:

For Operations and Maintenance .. 125,000

2. Gadsden State Junior College:

For Operations and Maintenance .. 125,000

Section 7. Other Educational Appropriations:

1. George C. Wallace Community College — Technical Branch — Dothan:

For a nursing school 200,000

2. George Corley Wallace State Community College (Selma):

For Operations and Maintenance at the facility formerly Craig AFB .. 116,300

3. George Corley Wallace State Community College — Technical Branch (Selma):

| | |
|---|---------|
| For Operations and Maintenance at the facility formerly Craig AFB | 324,000 |
| 4. Alabama Academy of Honor | 3,500 |
| 5. S. D. Bishop State Junior Col- lege — For Operation & Mainte- nance—Mortuary Science | 84,559 |

Section 8. There is hereby appropriated from the Alabama Special Educational Trust Fund the sum of three million dollars (\$3,000,000) to be used for the creation and maintenance of a student assistance program to be administered by the Alabama Commission on Higher Education for students of certain approved institutions.

Section 9.

A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby transferred from the Special Mental Health Trust Fund to the Board of Trustees of University of Alabama \$2,882,899 to be expended under the programmatic area as shown under subsection 12 on page 52.

(2) There is hereby transferred from the Special Mental Health Trust Fund \$487,250 to be expended under the programmatic area as shown under subsection 13 on page 52.

B. PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Section 257, 258, and 259 of the Constitution of 1901 and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

"Section 10. Each appropriation made herein shall be reduced by .0052 percent or such other percentage as may be necessary to limit the expenditures from the ASETF to an amount that does not exceed available revenues. Provided however, that if revenues are available to pay each appropriation made herein in full then all appropriation shall be paid in full.

Section 11. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, shall issue his warrant therefore provided, that all appropriations and funds made available to the University of Alabama at Tuscaloosa, University of Alabama in Birmingham, University of Alabama in Huntsville, Alabama A & M University, Alabama State University, Auburn University, Alabama Institute for Deaf and Blind, Alabama Educational Television Commission, Jacksonville State University, Livingston State University, University of Montevallo, University of North Alabama, University of South Alabama, State Social Security Board, Teachers' Retirement System, Troy State University, and the Youth Services Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 12. That nothing in this Act shall be construed to affect or

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repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation.

Section 13. The provisions of this Act are severable. If any portion, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, which holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act, or any other appropriation or portion thereof made not in and of itself unconstitutional or invalid.

Section 14. This Act shall become effective on October 1, 1978.

And said Bill, S. B. 56, together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 56, said Report being set out in the above and foregoing Message from the Senate.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNeese, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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And the bill:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 94; Nays 1.

Yeas:

Mr. Speaker, Andrews, Armstrong, Baker, Barron, Biddle, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Cooper, Crawford,

Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Kelley, Kennedy, Killian, Kinsey, Langford, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Roberts, Robertson, Sandusky, Sasser, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Thomas, Towns, Trammell, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce.

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Nay: Mr. Coburn.

—1

RESOLUTION

The following resolution was introduced:

By Messrs. Sasser, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Buskey, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Hill, Hilliard, Hines, Holley, Holmes (A), Holmes (D), Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Langford, Lee, Leonard, Lockett, Lutz, McCluskey, McCulley, McMillan, McNair, McNees, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Quarles, Ray, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Shelton, Shoemaker, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Thomas, Towns, Trammell, Tucker, Turnham, Venable, Waggoner, Ward, Warren, Weeks, Whatley, White, Williams, Wyatt and Younce:

H. R. 77. COMMENDING SPEAKER OF THE HOUSE, JOE C. MCCORQUODALE, JR., FOR HIS LEADERSHIP IN THE 1978 SECOND SPECIAL SESSION OF THE LEGISLATURE.

WHEREAS, Speaker of the House, Joe C. McCorquodale, Jr., has exercised wisdom, courage, and dedication to the people of the State of Alabama through his able leadership of this body during the 1978 Second Special Session of the Alabama Legislature; and

WHEREAS, his conservative attitude in his determination to be fiscally responsible is refreshing and encouraging to the members of this House of Representatives; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That this body does commend Speaker of the House, Joe C. McCorquodale, Jr., for his outstanding leadership during the 1978 Second Special Session of the Alabama Legislature and for his stand on fiscal responsibility.

On motion of Mr. Sasser, the rules were suspended and the resolution, H. R. 77, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 172. To provide for the appraisal, for purposes of ad valorem taxation, by the State of Alabama and by counties municipalities and other taxing authorities, of certain taxable property at its current use value and not at its fair and reasonable market value; to amend Sections 40-7-15, 40-7-25, and 40-7-35, Code of Alabama 1975; to prescribe criteria for ascertaining the current use value of eligible taxable property; to require that the owner of eligible taxable property request that such property be appraised at its current use value and to prescribe the contents of the application form to be used therefor; to provide for the treatment of such property in the assessment book prepared by each county tax assessor; to require the abstract of property prepared by each county tax assessor to include certain specified information; to provide for review of the decision of the county tax assessor denying a request for current use valuation of such property; to authorize the department of revenue to promulgate regulations regarding the determination of current use value; to provide for the computation and collection of additional taxes when taxable property assessed at its current use value is converted to a use not qualifying for such assessment; to provide that such additional taxes shall be a lien on such taxable property; and to provide an effective date for the act.

Also:

H. 170. To propose a constitutional amendment amending further Article XI, Section 217, Constitution of Alabama of 1901, as amended by Constitutional Amendment No. 325, relating to ad valorem property taxes levied by the state and all counties, municipalities and other local taxing authorities.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 171. To define the classes of taxable property subject to ad valorem taxation by the State of Alabama and by all counties, municipalities or other taxing authorities therein, under authority of Article XI, Section 217 of the Constitution of Alabama of 1901, as amended; to fix the ratios of assessed value to the fair and reasonable market value of such taxable property that are applicable to such classes of taxable property, except as otherwise provided by law; to regulate the adjustment of such assessment ratios by counties, municipalities and other taxing authorities other than the State, by classifying such taxing authorities according to the relative proportions of assessed value of the several classes of taxable property situated in such taxing authorities, and by limiting the amount of any increase or decrease in any assessment ratio permitted any such taxing authority; to alter the classification of certain transportation property to the extent required by federal law;

to amend Section 40-8-1 Code of Alabama 1975; to decrease the assessment ratios applicable to Class II property from 25 percent to 20 percent and Class III property from 15 percent to 10 percent; and to provide an effective date for the act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 173. To amend Section 40-9-1, Code of Alabama 1975; to exempt all farming tools and household and kitchen furniture of whatever value from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; to exempt farm tractors and other agricultural equipment, when used exclusively in connection with agricultural property, and certain farm animals, from all ad valorem property taxes levied by the State of Alabama and all counties, municipalities and other taxing authorities therein; to exempt inventory of commercial businesses from all ad valorem property taxation by the State of Alabama and all counties, municipalities and other taxing authorities in the State; and to provide an effective date for the act.

H. 174. To exempt homesteads of persons over 65 years of age, or who are retired due to permanent and total disability, or who are blind, from all ad valorem property taxes levied by the state of Alabama; to exempt principal residences of persons over 65 years of age or who are totally disabled from all ad valorem taxation in the state; to amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975; and to provide an effective date for the act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Crowe:

H. J. R. 78. BE IT RESOLVED BY THE LEGISLATURE OF ALA-

BAMA, BOTH HOUSES CONCURRING, That when we adjourn tonight, we adjourn Sine Die.

On motion of Mr. Crowe, the rules were suspended and the resolution, H. J. R. 78, was adopted.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Fifth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Crowe, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 65. To provide for the distribution of payments in lieu of taxes made to the state and local governments by the Tennessee Valley Authority and its distributors, and to provide further for the disposition and use of the profits, including all tax levied upon the selling price of spirituous and vinous liquors and certain taxes on malt and brewed beverages; for this purpose amending Section 28-3-74 and Section 28-3-181 of the Code of Alabama, 1975.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 49. To permit Medical Services Administration of Alabama, the single State agency charged with responsibility for administering the Alabama Medicaid Program, to contract with fiscal intermediaries for the Medicaid Program for a period not to exceed three years; to require such contracts to comply in all other respects with the Alabama competitive bid law; and to repeal all statutes in conflict therewith.

Also:

S. J. R. 12. MOURNING THE DEATH OF SENATOR JAMES B. ALLEN.

Also:

S. J. R. 22. COMMENDING GADSDEN TIMES STAFF WRITER, VIRGINIA BROCK, ON RECENT HONORS RECEIVED.

Also:

S. J. R. 24. COMMENDING COACH JIM GLOVER ON HIS OUTSTANDING CAREER.

S. J. R. 27. NAMING THE INDUSTRIAL TRAINING CENTER TO BE CONSTRUCTED AT BESSEMER STATE TECHNICAL COLLEGE, "MILLSAP INDUSTRIAL TRAINING CENTER."

Also:

S. J. R. 33. STATING THE ALABAMA LEGISLATURE'S APPROVAL AND FULL SUPPORT OF THE ALABAMA SUNBELT CONFERENCE.

Also:

S. J. R. 39. COMMENDING WILLIAM A. JACKSON FOR HIS OUTSTANDING SERVICE AS LEGAL ADVISOR TO THE GOVERNOR.

Also:

S. 56. To make annual appropriations for the support, maintenance, and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1979.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 6:00 P.M. on August 4, 1978:

H. J. R. 5

H. 1
H. 3
H. 17
H. 20
H. 23
H. 24
H. 25

SECOND EXTRAORDINARY SESSION
5th Day

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H. 26
H. 35
H. 40
H. 41
H. 42
H. 43
H. 45
H. 50
H. 51
H. 52
H. 53
H. 54
H. 57
H. 65
H. 76
H. 77
H. 78
H. 129
H. 132
H. 137
H. 147
H. 150
H. 152
H. 154
H. 156
H. 164
H. 166
H. 83
H. 85
H. 86
H. 87
H. 92
H. 102
H. 105
H. 106
H. 111
H. 112
H. 115
H. 118
H. 122
H. 123
H. 127
H. 56
H. 138

Delivered to the Secretary of State at 6:00 P.M. on August 4, 1978:

H. 44 (Constitutional Amendment)
H. 70 (Constitutional Amendment)
H. 124 (Constitutional Amendment)

Delivered to the Governor at 8:00 P.M. on August 4, 1978:

H. J. R. 6
H. J. R. 7
H. J. R. 8
H. J. R. 9
H. J. R. 11
H. J. R. 12
H. J. R. 15
H. J. R. 17

H. J. R. 19
H. J. R. 22
H. J. R. 24
H. J. R. 25
H. J. R. 42
H. J. R. 43
H. J. R. 44
H. J. R. 45
H. J. R. 46
H. J. R. 50
H. J. R. 54
H. J. R. 56
H. J. R. 57
H. J. R. 58
H. J. R. 59
H. J. R. 60
H. J. R. 61
H. J. R. 62
H. J. R. 64

Delivered to the Governor at 8:25 P.M. on August 4, 1978:

H. J. R. 71
H. J. R. 73
H. 19
H. 131
H. 146
H. 175
H. 9

Delivered to the Secretary of State at 8:25 P.M. on August 4, 1978:

H. 10 (Constitutional Amendment)

Delivered to the Secretary of State at 10:50 P.M. on August 4, 1978:

H. 170 (Constitutional Amendment)

Delivered to the Governor at 10:50 P.M. on August 4, 1978:

H. 172
H. 171
H. 173
H. 174
H. 65 (Executive Amendment)

JOHN W. PEMBERTON,
Clerk.

SECOND EXTRAORDINARY SESSION
5th Day

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HOUSE OF REPRESENTATIVES
STATE OF ALABAMA
SECOND SPECIAL SESSION
LOBBYIST REGISTRATION
PURSUANT TO HOUSE RULES 66-74

| NAME | FIRM |
|-----------------------|--|
| Mary Jane Akel | Alabama Education Association |
| Walter L. Allen | Association of Alabama Cemeteries |
| George F. Bailey, Jr. | Alabama Railroad Association |
| S. Eason Balch, Jr. | Alabama Power Company |
| P. H. "Pat" Banks | National Federation of Independent Business |
| Joe P. Bethea | Chevron U.S.A., Inc. and its parent corporation, Standard Oil Co. of Calif. and subsidiaries |
| J. B. Brand, Jr. | Associated Industries of Alabama |
| James J. Britton | Alabama Chamber of Commerce |
| David C. Brown | University of North Alabama |
| A. A. Burks, Sr. | Alabama A & M University |
| John P. Carlton | City of Birmingham |
| William J. Cobb | South Central Bell Telephone Co. |
| R. J. Cunningham | (Ala. Assoc. of Life Underwriters (Ala. Hotel & Motel Assn. (Professional Insurance Agents |
| David Lamar Day | J. O. Brooks, Health Education Center |
| Jeffery B. Dolbare | Alabama Education Association |
| Sam Engelhardt | Alabama Power Company |
| Robert B. Finley | State Department Public Health |
| Donald J. Gibson | Troy State University |
| Morris Gresham Hale | Department of Mental Health |
| S. N. Hamilton | Alabama League of Municipalities |
| Anita F. Henderson | Alabama ETV Commission |
| Robert R. Holcomb | J. O. Brooks, Health Education Center |
| Daniel C. Holsenbeck | Auburn University—Montgomery |
| Robert T. Hydrick | The Mead Corporation |
| James V. Jordan, III | Southern Natural Gas Co. |
| H. Boyd Kelly, Jr. | Alabama Forestry Association |
| Vernon D. Knight | Alabama Optometric Association |

| | |
|---------------------------|---|
| Charles McDonald | Ala. Retail Assn. |
| Tom McGregor | Alabama Gas Corporation |
| Dan Meissner | West Alabama EMS, Inc. |
| Gilbert D. Mobley | Associated Industries of Alabama |
| William T. O'Connor, Jr. | Alabama Press Association |
| R. Emmett Poundstone, III | Mental Health |
| Randolph P. Reaves | Alabama Dental Association Alabama Psychological Association Alabama Licensed Psychologists |
| E. Clark Richardson | Alabama Power Co. |
| James I. Ritchie | Alabama Trucking Association, Inc. |
| Perry C. Roquemore, Jr. | Alabama League of Municipalities |
| Charles C. Rowe | Jacksonville State University |
| Stephen R. Shumaker | Alabama Education Association |
| Otto E. Simon | City Government, Prichard, Alabama |
| Joseph W. Smith | Alabama Chamber of Commerce |
| Walter C. Smith | Alabama Chamber of Commerce |
| Clemit Spruiell | Livingston University |
| Robert E. Strain | United States Steel Corporation |
| Frank L. Thiemonge, Jr. | Alabama Safety Council |
| Charles R. Tidwell | J. O. Brooks, Health Education Center |
| David M. Tiffany | University of South Alabama |
| Larry Tyner | Weyerhaeuser Co. (Wood Products) |
| Kenneth W. Underwood, Jr. | South Central Bell |
| Howard R. Vaughan | Liberty National Life Ins. Co. |
| Don F. Wasson | Ala. Mining Institute |
| John F. Watkins | Alabama League of Municipalities |
| J. Hilton Watson | Alabama Forestry Association |
| Richard C. Whitaker | Medical Association of the State of Alabama |
| J. Herbert White | Auburn University |
| Richard D. Wilcox | International Paper Company |
| Mildred J. Worthy | Alabama Education Association |

SECOND EXTRAORDINARY SESSION
5th Day

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ADJOURNMENT

On motion of Mr. Crowe, the House adjourned sine die at 10:30 o'clock p.m., Friday, August 4, 1978.

Attest:

JOHN W. PEMBERTON
Clerk of the House of Representatives
of the Legislature of Alabama,
Second Extraordinary Session, 1978.

HOUSE OF REPRESENTATIVES
SECOND EXTRAORDINARY SESSION, 1978
ALPHABETICAL ROSTER AND DISTRICT NUMBER

| | |
|------------------------------|---------------------------------|
| Robert E. Albright, 20 | Hartwell Lutz, 22 |
| Richard Andrews, 34 | Murray P. McCluskey, 54 |
| Ralph (Buddy) Armstrong, 50 | Joe C. McCorquodale, Jr., 92 |
| James A. Baker, 66 | J. Henry McCulley, 96 |
| Bishop N. Barron, 79 | John M. McMillan, Jr., 95 |
| Jack Biddle, III, 35 | Chris McNair, 41 |
| Hugh Boles, 42 | Allen McNees, 6 |
| James E. Buskey, 99 | Richard S. (Rick) Manley, 87 |
| H. L. (Sonny) Callahan, 101 | Charles B. Martin, 8 |
| Frank Campbell, 90 | Hugh D. Merrill, 59 |
| Joe R. Carothers, Jr., 71 | Hinton Mitchem, 25 |
| Tommy Carter, 16 | Sonny Moore, Jr., 52 |
| Eric O. Cates, Jr., 84 | Warren C. Moore, 17 |
| George N. Clark, 88 | Larry Morris, 62 |
| Tom C. Coburn, 3 | Alvis Naramore, 13 |
| J. Gary Cooper, 103 | Walter Owens, 48 |
| Buddy Crawford, 70 | R. Leigh Pegues, 86 |
| Wayland Cross, 7 | James J. Plaster, 82 |
| Robert T. Crowe, 12 | Marilyn Quarles, 56 |
| Gerald Dial, 60 | James E. Ray, 68 |
| Tom Drake, 10 | Thomas Reed, 67 |
| William Edwards, 83 | Kerry Rich, 30 |
| Francis Falkenburg, 32 | Frank Riddick, 18 |
| Joe M. Ford, 28 | Tommy Ed Roberts, 9 |
| Robert C. Gafford, 33 | Edward Robertson (Big Ed), 89 |
| Bob Glass, 105 | J. Thomas (Tommy) Sandusky, 100 |
| J. W. Goodwin, 4 | James G. Sasser, 69 |
| Lynn Greer, 1 | Tom Shelton, 57 |
| Richard Gregg, 19 | Wallace Shoemaker, 55 |
| Robert B. (Bob) Hall, 15 | Bill Smith, 21 |
| James D. Harris, Jr., 81 | Curtis Smith, 53 |
| A. L. (Tony) Harrison, 44 | Jack W. Smith, 73 |
| Robert M. Hill, Jr., 2 | Monroe Smith, 61 |
| Earl F. Hilliard, 45 | Nat Sonnier, 102 |
| Leon Brooks Hines, 91 | John R. Sparks, 11 |
| Jimmy W. Holley, 74 | Bethel D. Starkey, 23 |
| Alvin Holmes, 80 | Hubert L. Taylor, 29 |
| Donald G. Holmes, 58 | Louphenia Thomas, 39 |
| Jack Hopping, Sr., 40 | Bill Towns, 27 |
| Asbury Howard, 49 | Hoyt W. Trammell, 36 |
| Frank Jackson, 75 | Jerome Tucker, 43 |
| Ronald E. Jackson, 38 | Pete Turnham, 63 |
| Roy W. Johnson, Jr., 47 | Jack Venable, 76 |
| Douglas Johnstone, 104 | J. T. (Jabo) Waggoner, Jr., 51 |
| Carl Jolly, 14 | Shelby D. Ward, 64 |
| Phillip B. (Phil) Kelley, 26 | J. E. (Jimmy) Warren, 93 |
| Cain J. Kennedy, 98 | Paul J. Weeks, 5 |
| Roger Killian, 24 | Charles W. Whatley, 65 |
| Daniel L. Kinsey, 94 | Dr. Dewey White, Jr., 31 |
| Charles Langford, 77 | R. Nolan Williams, 72 |
| James G. Lee, 46 | Cecil Wyatt, 78 |
| Tom Leonard, 37 | Dal C. Younce, 97 |
| John A. Lockett, Jr., 85 | |

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

SECOND EXTRAORDINARY SESSION, 1978

OFFICERS

JOE C. McCORQUODALE, JR., *Speaker*, Jackson

ROBERT T. (BOBBY TOM) CROWE
Speaker Pro-Tem, Jasper

JOHN W. PEMBERTON, *Clerk*, Montgomery

MEMBERS OF THE HOUSE

| Dist. No. | Counties | Name | Address |
|--------------|-------------------------------|-----------------------------------|--|
| 1 | LAUDERDALE | Lynn Greer _____ | Rt. 3, Box 102, Rogersville 35652 |
| 2 | LAUDERDALE | Robert M. (Bob) Hill, Jr. ____ | 119 Mobile Street, Plaza, Florence 35630 |
| 3 | LAUDERDALE, COLBERT, FRANKLIN | Tom C. Coburn _____ | 1107 E. 3rd St., Tuscumbia 35674 |
| 4 | COLBERT, FRANKLIN | J. W. (Joe) Goodwin _____ | 310 Ford Rd., Muscle Shoals 35660 |
| 5 | FRANKLIN, MARION | Paul J. Weeks _____ | P. O. Box 674, Winfield 35594 |
| 6 | LAMAR, MARION, FAYETTE | Allen McNees _____ | Rt. 1, Box 294, Vernon 35592 |
| 7 | LAWRENCE, MORGAN | Wayland Cross _____ | Box D, Courtland 35618 |
| 8 | MORGAN | Charles B. Martin _____ | 1716 Camellia Dr., S.W., Decatur 35601 |
| 9 | MORGAN | Tommy Ed Roberts _____ | P. O. Box 1298, Hartselle 35640 |
| 10 | MORGAN, CULLMAN | Tom Drake _____ | P. O. Box 36, Cullman 35055 |
| 11 | CULLMAN, WINSTON | John R. Sparks _____ | 919 Nunnelly Dr., S.W., Cullman 35055 |
| 12 | WINSTON, WALKER | Robert T. (Bobby Tom) Crowe _____ | Box 2308, Jasper 35501 |
| 13 | WALKER | Alvis Naramore _____ | 5th Ave. & 19th Street, Jasper 35501 |

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 14 **JEFFERSON, BLOUNT**
Carl Jolly _____ P. O. Box 366, Gardendale 35071
- 15 **JEFFERSON**
Robert B. (Bob) Hall _____ Rt. 2, Box 593-W, Pinson 35126
- 17 **LIMESTONE, MADISON**
Tommy Carter _____ Rt. 2, Elkmont 35620
- 16 **LIMESTONE**
Warren C. Moore _____ Rt. 3, Box 875, Huntsville 35806
- 18 **MADISON**
Frank H. Riddick _____ 7804 Lauderdale Drive, Huntsville 35802
- 19 **MADISON**
Richard Gregg _____ 4007 Nelson Drive, Huntsville 35810
- 20 **MADISON**
Robert E. Albright _____ 2024 Stanhope Dr., N.E., Huntsville 35811
- 21 **MADISON**
Bill Smith _____ 2203 Colice Rd., S.E., Huntsville 35801
- 22 **MADISON, JACKSON**
Hartwell Lutz _____ Suite 52, Central Bank Bldg., Huntsville 35801
- 23 **JACKSON**
Bethel D. Starkey _____ P. O. Box 3, Pisgah 35765
- 24 **JACKSON, DeKALB**
Roger Killian _____ P. O. Box 4, Fort Payne 35967
- 25 **DeKALB, MARSHALL**
Hinton Mitchem _____ P. O. Box 297, Albertville 35950
- 26 **MARSHALL**
Phillip B. (Phil) Kelley _____ Rt. 2, Box 486, Guntersville 35976
- 27 **BLOUNT, ETOWAH, MARSHALL**
Bill Towns _____ 1009 Alabama Ave., Oneonta 35121
- 28 **ETOWAH**
Joe M. Ford _____ 117 Arcade St., Gadsden 35903
- 29 **ETOWAH**
Hubert L. Taylor _____ 2714 Hazel Dr., Gadsden 35901
- 30 **ETOWAH, CHEROKEE**
Kerry Rich _____ Rt. 1, Box 291, Gadsden 35901
- 31 **JEFFERSON**
Dr. Dewey White, Jr. _____ P. O. Box 7685A, Birmingham 35223
- 32 **JEFFERSON**
Francis Falkenburg _____ 1612 Lanark Place, Birmingham 35223

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 33 JEFFERSON
Robert C. (Bob) Gafford — 5345 Division Ave., Birmingham 35212
- 34 JEFFERSON
Richard Andrews _____ P. O. Box 6061, Birmingham 35209
- 35 JEFFERSON
Jack Biddle, III _____ P. O. Box 386, Gardendale 35071
- 36 JEFFERSON
Hoyt W. Trammell _____ Rt. 15, Box 247, Birmingham 35224
- 37 JEFFERSON
Tom Leonard _____ 1725 Windsor Blvd., Homewood 35209
- 38 JEFFERSON
Ronald Edward Jackson _____ 1605 8th Ave., N., Frazier Bldg.,
Birmingham 35203
- 39 JEFFERSON
Louphenia Thomas _____ 931 Arkadelphia Road, Birmingham 35204
- 40 JEFFERSON
Jack Hopping, Sr. _____ 2804 Ave. G., Birmingham 35218
- 41 JEFFERSON
Chris McNair _____ P. O. Box 1851, Birmingham 35201
- 42 JEFFERSON
Hugh Boles _____ 1036 Normandale Circle, Hueytown 35020
- 43 JEFFERSON
Jerome Tucker _____ Suite 1722, 2121 Bldg., 8th Ave., N.,
Birmingham 35203
- 44 JEFFERSON
A. L. (Tony) Harrison _____ 1630 4th Ave., No., Birmingham 35203
- 45 JEFFERSON
Earl F. Hilliard _____ P. O. Box 11385, Birmingham 35202
- 46 TUSCALOOSA
Jimmy Lee _____ P. O. Box 2654, Tuscaloosa 35401
- 47 TUSCALOOSA
Roy W. Johnson, Jr. _____ 4501 20th St., N.E., Tuscaloosa 35401
- 48 TUSCALOOSA, BIBB
Walter Owens _____ 107 Court Sq., West, Centreville 35042
- 49 TUSCALOOSA, JEFFERSON
Asbury Howard _____ 1930 Exeter Ave., Bessemer 35020
- 50 JEFFERSON
Ralph (Buddy) Armstrong — 1711 3rd Ave., North, Bessemer 35020

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 51 **JEFFERSON, SHELBY**
James T. (Jabo) Waggoner, Jr. _____ 1829 Mission Rd.,
Birmingham 35216
- 52 **JEFFERSON, SHELBY, TALLADEGA**
Sonny Moore _____ P. O. Box 44, Sterrett 35147
- 53 **CHILTON, SHELBY**
Curtis Smith _____ Rt. 3, Box 118, Clanton 35045
- 54 **COOSA, TALLADEGA**
Murray P. McCluskey _____ Box 599, Sylacauga 35150
- 55 **TALLADEGA**
Wallace Shoemaker _____ 15 Cliff Road, Childersburg 35044
- 56 **ST. CLAIR, CALHOUN**
Marilyn Quarles _____ P. O. Box 214, Springville 35146
- 57 **CALHOUN**
Thomas R. (Tom) Shelton _____ P. O. Box 511, Jacksonville 36265
- 58 **CALHOUN**
Donald G. Holmes _____ 1915 Robinhood Drive, Oxford 36203
- 59 **CALHOUN**
Hugh D. Merrill _____ P. O. Box 1498, Anniston 36201
- 60 **CLAY, CLEBURNE, TALLADEGA**
Gerald O. Dial _____ Box 275, Lineville 36266
- 61 **RANDOLPH, CHAMBERS**
Monroe Smith _____ Rt. 1, Box 984, Lanett 36863
- 62 **TALLAPOOSA, CHAMBERS**
Larry Morris _____ Madison St., Alexander City, 35010
- 63 **TALLAPOOSA, CHAMBERS, LEE**
Pete Turnham _____ P. O. Box 1592, Auburn 36830
- 64 **CHAMBERS, LEE**
Shelby D. Ward _____ P. O. Box 689, Opelika 36801
- 65 **LEE, RUSSELL, BARBOUR**
Charles W. Whatley _____ Rt. 5, Box 250, Opelika 36801
- 66 **RUSSELL**
James A. Baker _____ 4300 Summerville Road, Phenix City 36867
- 67 **MACON, BULLOCK**
Thomas Reed _____ Drawer EE, Tuskegee Institute 36088
- 68 **PIKE, COFFEE, BULLOCK, BARBOUR**
James E. Ray _____ 104 Woodland Circle, Troy 36081

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 69 **DALE, BARBOUR, HENRY**
James G. Sasser _____ 1208 Skipperville Rd., Ozark 36360
- 70 **HOUSTON, HENRY, BARBOUR**
Buddy Crawford _____ P. O. Box 129, Abbeville 36310
- 71 **HOUSTON**
Joe R. Carothers, Jr. _____ Rt. 8, Box 33, Dothan 36301
- 72 **DALE**
R. Nolan Williams _____ Rt. 2, Newton 36352
- 73 **GENEVA, COVINGTON, HOUSTON**
Jack W. Smith _____ P. O. Box 728, Dothan 36301
- 74 **COVINGTON, COFFEE**
Jimmy W. Holley _____ Rt. 3, Box 191E, Elba 36323
- 75 **COVINGTON**
Frank Jackson _____ P. O. Box 209, Opp 36467
- 76 **ELMORE**
Jack B. Venable _____ P. O. Box 736, Tallassee 36076
- 77 **MONTGOMERY**
Charles Langford _____ 352 Dexter Ave., Montgomery 36104
- 78 **MONTGOMERY, CRENSHAW**
Cecil L. Wyatt _____ P. O. Box 1, Ramer 36069
- 79 **MONTGOMERY**
Bishop N. Barron _____ P. O. Box 221, Montgomery 36101
- 80 **MONTGOMERY**
Alvin A. Holmes _____ P. O. Box 6064, Montgomery 36106
- 81 **MONTGOMERY**
James D. Harris, Jr. _____ 200 So. Lawrence St., Montgomery 36104
- 82 **MONTGOMERY, AUTAUGA, LOWNDES, ELMORE**
James J. Plaster _____ Rt. 1, Box 193, Autaugaville 36003
- 83 **WILCOX, LOWNDES, DALLAS**
William D. Edwards _____ Rt. 1, Box 180A, Ft. Deposit 36032
- 84 **BUTLER, CRENSHAW**
Eric O. Cates, Jr. _____ Rt. 2, Box 222, Greenville 36037
- 85 **DALLAS, AUTAUGA**
John A. Lockett, Jr. _____ P. O. Box 1354, Selma 36701
- 86 **DALLAS, PERRY, MARENGO**
R. Leigh Pegues _____ 202 Early St., Marion 36756
- 87 **MARENGO, SUMTER, HALE, GREENE**
Richard S. (Rick) Manley _____ P. O. Drawer U, Demopolis 36732

**ROSTER OF THE HOUSE OF REPRESENTATIVES
OF ALABAMA—Continued**

- 88 **GREENE, PICKENS, TUSCALOOSA, HALE**
George N. Clark _____ Box 6, Eutaw 35462
- 89 **TUSCALOOSA, PICKENS**
Edward (Big Ed) Robertson _____ P. O. Box 331, Northport 35476
- 90 **SUMTER, CHOCTAW**
Frank Campbell _____ P. O. Box 992, Livingston 35470
- 91 **ESCAMBIA**
L. Brooks Hines _____ P. O. Box 345, Brewton 36426
- 92 **CLARKE, MONROE**
Joe C. McCorquodale, Jr. _____ P. O. Box 535, Jackson 36545
- 93 **MONROE, CONECUH, ESCAMBIA**
James E. (Jimmy) Warren _____ P. O. Box 207, Castleberry 36432
- 94 **BALDWIN**
Daniel L. Kinsey _____ P. O. Box 246, Foley 36535
- 95 **BALDWIN, MOBILE**
John M. McMillan, Jr. _____ P. O. Box 174, Stockton 36579
- 96 **WASHINGTON, MOBILE**
J. Henry McCulley _____ P. O. Box 57, Wagerly 36585
- 97 **MOBILE**
Dal C. Younce _____ 409 Hwy. 43 So., Saraland 36571
- 98 **MOBILE**
Cain J. Kennedy _____ 111 Lovejoy Loop, Suite 202, Prichard 36610
- 99 **MOBILE**
James E. Buskey _____ 2207 Barretts Lane, Mobile 36617
- 100 **MOBILE**
J. Thomas (Tommy) Sandusky _____ P. O. Box 9118, Mobile 36609
- 101 **MOBILE**
H. L. (Sonny) Callahan _____ P. O. Box 1208, Mobile 36601
- 102 **MOBILE**
Nat Sonnier _____ 2007 C. North Portier Ct., Mobile 36607
- 103 **MOBILE**
Gary Cooper _____ P. O. Box 25, Mobile 36601
- 104 **MOBILE**
Douglas Johnstone _____ 3100 Cottage Hill Road, Suite 311,
Mobile 36606
- 105 **MOBILE**
Bob Glass _____ P. O. Box 625, Theodore 36582

**ROSTER OF THE SENATE OF ALABAMA
SECOND EXTRAORDINARY SESSION, 1978**

DISTRICT NO. 1

Oscar Ray Peden 225 Wilson Ave., Florence 35630

DISTRICT NO. 2

Joe Fine P. O. Box 818, Russellville 35653

DISTRICT NO. 3

Bingham Edwards P. O. Box 632, Decatur 35601

DISTRICT NO. 4

Finis St. John P. O. Drawer K, Cullman 35055

DISTRICT NO. 5

Robert T. (Bob) Wilson 1501 First Ave., Jasper 35501

DISTRICT NO. 6

Albert McDonald 6800 Madison Pike, Huntsville 35806

DISTRICT NO. 7

Bill G. King P. O. Box 382, Huntsville 35804

DISTRICT NO. 8

John Baker Route 3, Rainsville 35986

DISTRICT NO. 9

Sid McDonald P. O. Box 546, Arab 35016

DISTRICT NO. 10Gerald W. Waldrop 181 Lakeshore Dr., (Rt. 10, Box 192 A)
Gadsden 35901**DISTRICT 11**George McMillan 1550 First National-Southern Natural Bldg.,
Birmingham 35203**DISTRICT NO. 12**Paschal P. ("Pat") Vacca 929-30 Frank Nelson Bldg.,
Birmingham 35203**DISTRICT NO. 13**

J. Richmond Pearson P. O. Box 11135, Birmingham 35202

DISTRICT NO. 14

Robert L. "Bob" Ellis, Jr. 509 Poplar Lane, Adamsville 35005

DISTRICT NO. 15

U. W. Clemon 2121 Building, Suite 1600, Birmingham 35203

DISTRICT NO. 16

Richard C. Shelby 324 First Federal Bldg., Tuscaloosa 35401

DISTRICT NO. 17

Eddie Hubert Gilmore P. O. Box 546, Bessemer 35020

DISTRICT NO. 18

Lister Hill Proctor 121 N. Norton, Sylacauga 35150

DISTRICT NO. 19

John Teague P. O. Box 427, Childersburg 35044

DISTRICT NO. 20

Donald W. Stewart P. O. Box 2182, Anniston 36201

DISTRICT NO. 21

T. D. (Ted) Little P. O. Box 342, Auburn 36830

DISTRICT NO. 22

G. J. (Dutch) Higginbotham P. O. Box 585, Opelika 36801

DISTRICT NO. 23

T. Dudley Perry P. O. Box 419, Tuskegee 36083

DISTRICT NO. 24

Sam L. Adams 129 S. Oates, Dothan 36301

DISTRICT NO. 25

Wallace Miller P. O. Box 765, Enterprise 36330

DISTRICT NO. 26

Jerry Powell 116 Company St., Wetumpka 36092

DISTRICT NO. 27

Fred Jones 132 S. Perry St., Montgomery 36104

DISTRICT NO. 28

"Walking" Wendell Mitchell P. O. Box 225, Luverne 36049

DISTRICT NO. 29

Earl Goodwin P. O. Box 1039, Selma 36701

DISTRICT NO. 30

Bert Bank No. 7 Burt Pine, Rt. 2, Northport 35476

DISTRICT NO. 31

Maston Mims Rt. One, Uriah 36480

DISTRICT NO. 32

L. D. (Dick) Owen, Jr. 1301 Forrest Park Avenue, Bay Minette 36507

DISTRICT NO. 33

Mike Perloff 257 St. Anthony St., Mobile 36603

DISTRICT NO. 34

L. W. "Red" Noonan 161 McGregor Ave., Mobile 36608

DISTRICT NO. 35

Bill Roberts 148 Tuscaloosa Street, Mobile 36607

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